



# Executive Committee




<b>Date:</b>	16th June 2020	<b>a g e n d a</b>
<b>Time:</b>	6.00 pm	
<b>Venue:</b>	<p>This is a virtual meeting of the Executive Committee to be held using Zoom and live-streamed via YouTube</p> <p>To watch the live meeting on YouTube, please follow the instructions below:-</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 16/06/2020”</li> </ol> <p>Committee Members, officers and previously-notified speakers will be sent Zoom meeting joining instructions separately.</p>	
<b>Committee Administrator:</b>	 Anne Ireson <b>01536 534398</b>  <a href="mailto:anneireson@kettering.gov.uk">anneireson@kettering.gov.uk</a>	
<p><b>HEADLINE ITEM:</b></p> <p><b>COVID-19: BUDGET IMPLICATIONS AND MONITORING</b></p>		
<p><b>MEETINGS AT THE MUNICIPAL OFFICES</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), Councillor Lloyd Bunday, Councillor Mark Dearing, Councillor Scott Edwards, Councillor David Howes, Councillor Ian Jelley and Councillor Mark Rowley

## Executive Committee 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 19 <sup>th</sup> February 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.		A20/010	Protocols for Remote Executive Committees	Martin Hammond
10.		A20/001	Covid-19: Budget Implications and Monitoring	Mark Dickenson
11.		A20/003	Covid-19: Revisions to the Housing Revenue Account Capital Programme 2020/21	John Conway
12.		A19/040	Dog Control Public Space Protection Order	Shirley Plenderleith
13.		A20/002	Members' Allowances	Bhupinder Gill

### **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**

**19<sup>th</sup> February 2020**

**Present:** Councillor Russell Roberts (Chair)  
Councillors Lloyd Bunday, Mark Dearing, Scott Edwards, David Howes, Ian Jelley and Mark Rowley

**Also Present:** The Mayor (Councillor Keli Watts)  
Councillors June Derbyshire, Anne Lee, Clark Mitchell, Mick Scrimshaw, Shirley Stanton and Mike Tebbutt.

**19.EX.52 APOLOGIES**

Apologies for absence were received from Councillor Lesley Thurland.

**19.EX.53 MINUTES**

**RESOLVED** that the minutes of the meeting held on 15<sup>th</sup> January 2020 be approved and signed by the Chair.

**19.EX.54 DECLARATIONS OF INTEREST**

None.

**19.EX.55 MATTERS OF URGENCY**

None.

**19.EX.56 PUBLIC SPEAKERS**

The following people requested to speak under the Council's Right to Speak Policy:-

Councillor Mick Scrimshaw  
Councillor Anne Lee  
Councillor Clark Mitchell

## **19.EX.57 ISSUES REFERRED FROM SCRUTINY COMMITTEES**

The following two items had been referred from the Research and Development Committee:-

- Domestic Abuse (Item 12)
- Pets Policy (Item 13)

## **19.EX.58 WORK PROGRAMME**

The Council's Work Programme, to be published on 20<sup>th</sup> February, was noted.

## **19.EX.59 KETTERING TOWN CENTRE FOOTFALL AND DWELL TIME IMPROVEMENT**

The Chair agreed to bring this item forward (No. 14 on the agenda).

A report was submitted which provided Members with information to enable them to consider options which could help to contribute to an increase in footfall and visitor dwell time within Kettering town centre.

Cllr Scrimshaw thanked the Executive Committee for considering town centre car parking in the report. He put forward a suggestion that two hours free parking should be given across the board and asked that this option be considered in addition to the three options contained within the report, which would encourage more people to visit the town centre as well as potentially increasing footfall.

In consideration of the report, the Portfolio Holder for Regeneration emphasised the Council's ongoing commitment to improving the town centre, along with the work in connection with the Heritage Action Zone and improvements to road junctions. Reference was made to the Town Centre Area Action Plan and the recommendations of the Town Centre Task and Finish Group. It was noted that the preferred option would be subject to review after nine months of operation.

In consideration of the four options put forward, it was felt that, if two hours free parking was given at any time, people could inadvertently over-stay and be issued with a penalty notice. This option could be technically difficult to implement, with additional technology or physical barriers required. Additionally, the approximately £300,000 projected loss of income was considered by members of the committee to be excessive.

During further debate, members put forward the view that Option C (Free after 3.00 pm Mon-Thurs) would encourage increased footfall for the

benefit of town centre shops and also benefit other businesses, such as the swimming pool, and could encourage people to stay in the town centre to visit restaurants after 6.00 pm.

Members were reminded that the preferred option was subject to approval by Full Council. Any additional suggestions would need to be costed and implications included in the budget for 2020/21, which was due for consideration by Council on 26th February.

Councillor Scrimshaw was thanked for his suggestion.

**RESOLVED** that:-

- (i) the findings from the consultation conducted to date with members of the public and local stakeholders be noted;
- (ii) Option C (No charges after 3.00 p.m. Monday-Thursday) be recommended to Council as the Executive's preferred option;
- (iii) the preferred option be implemented within the Council owned car parks for a pilot period of one year, with a review report considered after nine months; and
- (iv) reserves be used to fund the preferred option, as outlined in Paragraph 7, Table 1 of the report.

**19.EX.60 DRAFT BUDGET PROPOSALS 2020/21: GENERAL FUND, CAPITAL PROGRAMME AND HOUSING REVENUE ACCOUNT**

A report was submitted which provided updates to the budget that had occurred since the last meeting, and reported back comments that had been submitted during the budget consultation period (to date) to enable the Executive to:

- (a) reconsider the main budget issues and drivers and consider their impact on the medium term;
- (b) make budget recommendations to full Council, including the recommended level of council tax for 2020/21;
- (c) formally approve the level of council house rents that will be charged for 2020/21; and
- (d) recommend two debts for write off in accordance with the Council's constitution.

It was noted that the Northamptonshire Structural Changes Order (SCO), had become law on 13<sup>th</sup> February 2020. Although Kettering Borough

Council had a duty to set its budget for 2020/21, this would be the final year of the Council's existence.

In introducing the report, the Portfolio Holder for Finance drew members' attention to a recommended housing rent increase of 2.7%, which had been supported by the Tenants' Forum, and submitted a recommendation for a zero percent increase in Council Tax.

**RESOLVED** that the Executive:-

- (a) approve the debt write off (as detailed in section 9.2 of the report);
- (b) receive the comments received from the consultation process (to date) as detailed at Appendix B of the report;
- (c) approve that the average weekly council house rent be increased by 2.7% to £80.96 (on a 52 week year) for 2020/21 (effective from 6<sup>th</sup> April 2020).

That the Executive **RECOMMEND** to Council:-

- (a) the Revised General Fund Budget (2019/20) and Draft General Fund Budget for (2020/21) – as detailed at Appendix A – Section 1\*- as amended for item 14;
- (b) the following Council Tax levels for 2020/21 in relation to Kettering Borough Council and the associated Medium-Term Financial Forecast;

Band	A	B *	C	D	E	F	G	H
Annual	£136.93	<b>£159.75</b>	£182.57	£205.39	£251.03	£296.67	£342.32	£410.78
Weekly	£2.63	<b>£3.07</b>	£3.51	£3.95	£4.83	£5.70	£6.58	£7.90
Increase per week (pence)	0p	<b>0p</b>	0p	0p	0p	0p	0p	0p
Increase	0.00%	<b>0.00%</b>	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

\* Represents the average level of the household bill within the District

- (c) The Housing Revenue Account Estimates for 2020/21 – as detailed at Appendix A - Section 2\*; and
- (d) The Capital Programme (2019 - 2025) – as detailed at Appendix A - Section 3\*

*\* Please note that these references to Appendix A refer to the 'Draft Budget Booklet – 2020/21) that was circulated as Appendix A to the January Budget report to the Executive Committee on 15 January 2020. A copy of these papers can be found at [https://www.kettering.gov.uk/meetings/meeting/1804/executive\\_committee](https://www.kettering.gov.uk/meetings/meeting/1804/executive_committee)*



**19.EX.61**      **TREASURY MANAGEMENT STRATEGY 2020/21**

A report was submitted which reported the Treasury Management Strategy for 2020/21 for approval.

**RESOLVED** that:-

- (a) the Treasury Management Policy Statement as detailed in Appendix A of the report be approved;
- (b) the Annual Treasury Management Strategy as detailed in Appendix B of the report be approved; and
- (c) it be **RECOMMENDED** to Council that the Prudential and Treasury Indicators be approved as detailed in Appendix B of the report.

**19.EX.62**      **CAPITAL STRATEGY 2020/21**

A report was submitted which sought approval for the Capital Strategy for 2020/21. It was noted that the Capital Strategy was required to be approved by Full Council.

Councillor Anne Lee addressed the Committee, referring to Procurement on Page 82 of the Strategy. Councillor Lee suggested that wording be added to the second bullet point as follows:-

*“... giving priority to local suppliers to boost the local economy and having regard to climate change.”*

The Chair thanked Councillor Lee for her suggestion, it being noted that the legalities of adding this requirement would be investigated by the Portfolio Holder for Finance before the next full Council meeting, particularly as the Capital Strategy related to procurement of assets and not general procurement.

The Portfolio Holder for Environment indicated that he was happy to also discuss the climate change element of the suggestion with Councillor Lee.

**RECOMMENDED** that the Capital Strategy, as detailed in Appendix A of the report, be approved.

**KETTERING TOWN CENTRE TASK AND FINISH GROUP –  
TIMELINE**

A report was submitted which sought approval of the timeline following review of the recommendations of the Task and Finish Group by the Research and Development Committee at its meeting on 28<sup>th</sup> January 2020.

Councillor Mick Scrimshaw addressed the Committee, asking that the recommendation at C4 be actively promoted. He also referred to Recommendation B2, highlighting the need for financial support from the Council for start-up businesses in the town, which may need Kettering Borough Council resources to investigate options and attract independent shops.

Councillor Anne Lee welcomed Recommendation C3, citing a local initiative to promote poetry to improve mental health, indicating that she was still awaiting a response.

Going forward, members of the Committee agreed there was a need to consider the longer-term vision for improving and maximising the sport and leisure offer within the town centre. However, it was noted that long term plans would now have to be taken forward through a joint programme by the unitary authority that would come into being from 1<sup>st</sup> April 2021.

The Portfolio Holder for Regeneration assured members of the Committee that the Council was committed to doing as much as possible to improve town centres and work with everyone concerned in the limited timescale available. Any suggestions in the longer term would be taken forward.

**RESOLVED** that:-

- (a) the timeline update report as set out in Section 2.1 Table 1 of the report be approved;
- (b) the observations outlined within section 3.2 Table 2 of the report be noted; and
- (c) it be recognised that there are other towns and villages in the borough that could benefit from a similar review.

**19.EX.64     DOMESTIC ABUSE POLICY**

A report was submitted which sought approval to adopt the new policy on responding to Domestic Abuse within Kettering Borough Council tenancies.

Councillor Anne Lee addressed the Committee, congratulating officers for their comprehensive report and policy. She welcomed the use of Council facilities for interviewing victims, which meant they did not have to travel to the Sunflower Centre in Northampton.

**RESOLVED** that the new Domestic Abuse Policy be adopted.

**19.EX.65     PET POLICY**

A report was submitted which sought approval to adopt the Pet Policy for Kettering Borough Council's tenants.

Councillor Clark Mitchell addressed the Committee on the subject of smaller pets, pointing out that some could grow to be very large, such as lizards and pythons. Also, people could acquire a large collection of reptiles and smaller animals which would require monitoring. He also referred to the policy in respect of tenants in sheltered accommodation and the elderly, urging the Council to give consideration to individual cases where people's pets were their only company.

In response, it was noted that tenants were visited on a regular basis, Pets were only permitted in sheltered accommodation in exceptional circumstances, but cases would be dealt with on an individual basis and rehoming would not be enforced where there was no need to do so.

During debate, members recognised that pets were important for people's health and wellbeing.

It was noted that the policy had been endorsed by the Tenants' Forum.

**RESOLVED** that the new Pet Policy be adopted.

*(The meeting started at 6.30 pm and ended at 7.20 pm)*

Signed .....  
Chair

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<b>Report Originator</b>	Martin Hammond Executive Director	<i>Fwd Plan Ref No:</i> A20/010	
<b>Wards Affected</b>	All	16 <sup>th</sup> June 2020	
<b>Title</b>	<b>PROTOCOLS FOR REMOTE EXECUTIVE COMMITTEES</b>		

**Portfolio Holder: Councillor Roberts**

**1. PURPOSE OF REPORT**

To adopt temporary protocols to enable this committee to be held remotely, so that they can take place and properly function during the COVID19 lockdown and any subsequent restrictions on meetings or gatherings.

**2. INFORMATION**

**Introduction**

2.1 Secondary legislation in the form of [\*The Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020\*](#) came into effect on 4<sup>th</sup> April 2020 which allows for and sets out the requirements for holding remote meetings. These Regulations apply until the 7<sup>th</sup> May 2021.

2.2 The Council normally holds Executive and other committees in public meeting rooms, with members of the public entitled to be present to observe proceedings and for interested parties to attend and speak. The protocols and processes that control and set out how these committees are run are reflected in the Council's Constitution, and will need to be temporarily amended, in order to enable remote proceedings through video conferencing software, without disadvantaging any participants. This Committee and all others can amend their protocols without Council approval first.

**Discussion**

2.3 The Council has purchased video-conferencing technology (Zoom) through the County Council and has trialled this software with members and officers to ensure that it is able to be deployed over the Council's network. Members and officers have been trained in order to enable the transfer from physical meetings held in the Chamber to virtual meetings held over the internet to be as seamless as possible. A live feed of the virtual meeting will be broadcast over the YouTube app to comply with Article 13 of the regulations that require public and press access to the meetings.

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- 2.5 Guidance has been published by the Local Government Association, and other organisations as how best to amend Council protocols and processes in relation to holding virtual meetings. Other best practice guidance is emerging as more Local Authorities carry out meetings and learn how best they should be carried out.
- 2.6 In relation to changes required for the Council's Committee processes and protocols, **Appendix 1** should be read in conjunction with the Constitution to understand how the Council's business will be transacted through remote meetings. **Appendix 2** provides a summary of the changes that will temporarily apply to the Constitution.
- 2.7 The principle of protocols and amendments to the Constitution, to facilitate the temporary provision of remote meetings, is to ensure there is no reduction in transparency, nor the ability to scrutinise Council decisions, nor that there is any disadvantage incurred to members of the public wishing to participate or make representations and having these considered in the normal manner.
- 2.8 This protocol covers the changes required in relation to how meetings will be notified and access to information; how remote access to meetings will be provided; the management of remote meetings for Members; remote attendance of meetings by the Public; meeting procedures and remote voting; declaration of interests; Member exclusion from the meeting and exclusion of the press and public; and access to meeting documentation following the meeting. **Appendix 3** provides an 'At a Glance' guide of remote meetings etiquette and how they will be conducted.

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

- 3.1 There is likely to be a very minor impact on the ability of customers of the Council to engage in Council meetings due to the barriers imposed by utilising video-conferencing software and this is likely to be borne most heavily by groups who are elderly and those with less financial means (see 5.1 below). However, the Council considers that the mitigation measures and adaptations that have been put in place through these procedures and protocols will mean that there has been no net disadvantage caused to persons wishing to participate in Council meetings as a result.

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

- 4.1 The adoption of temporary procedures and protocols in respect of remote committee meeting will allow the Council to continue to conduct its business within current resources available and using technological improvements.

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

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- 5.1 The Council can amend its Constitution at any time. The revisions to the Constitution are permitted through the powers set out in the *Coronavirus Act 2020* and the procedures and protocols for remote meetings are in accordance with *The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020*
- 5.2 It is recognised that some persons who ordinarily would be able to participate in the Council's meetings in person will not be able to so due to physical or other disabilities or because they lack the technological capability .It is believed that this will only be a small minority of persons, but will likely disproportionately affect older persons and those of less financial means. Facilities will be available for people to view a live stream of the meeting on YouTube and for public speakers to either participate in the meeting during their representation or to submit representations in pre-recorded or written form and to have these played or read out on their behalf. Additionally, facilities can be made available in the Council offices for someone to attend and participate in the meeting by virtual means, whilst protecting social distancing requirements.
- 5.3. Therefore, having given regard to the Council's obligations under s149 Equality Act, it is considered that the public interest in the resumption of public elected member decision-making outweighs the impacts on any persons who may not be able to fully participate. It is also mindful of the current statutory limitations on public gatherings when alternative means are available, and it considers that the regulations allowing remote decision making is such an alternative which should be used.
- 5.4 The Council will also consider any other requests for reasonable adjustments to be made in order to allow parties to be involved in remote Council meetings as far as circumstances at the time of the meeting allows.
- 5.5 In addition, the Council will review and monitor the operation of its remote decision making and make adjustments when it considers it can further mitigate any adverse impact.

## **6. CLIMATE CHANGE IMPLICATIONS**

- 6.1 This may have a minor positive benefit for Climate Change implications as members of the Council, officers and the public will not have to travel to the Council offices to participate and this will slightly reduce carbon emissions.

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### 7. RECOMMENDATION

- 7.1 Members note that a notice providing details of proposed revised protocols and procedures for Members and the public to access remote meetings has been posted on the Council's website for 5 days prior to this meeting.
- 7.2 Officers recommend that Members approve the procedures and protocols set out in Appendix 1, 2 and 3 and approve the use of video-conferencing software to enable Council Committees to be held remotely for the duration of the period set out in the Coronavirus Act 2020.
- 7.3 Officers recommend that Members approve the proposed temporary amendments to meeting procedures, as set out in Appendix 2, to enable the provision of remote meetings.

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Contact Officer: Martin Hammond – Executive Director

Previous Minutes/Reports: Similar reports will go to each committee at its first virtual meeting.

Date: 4<sup>th</sup> June 2020



## **PROTOCOL AND PROCEDURES FOR REMOTE COMMITTEE AND OTHER MEETINGS OF KETTERING BOROUGH COUNCIL**

### **Introduction**

This Protocol should be read in parallel with part 4 of the Borough Council's Constitution: Rules of Procedure (Standing Orders). It provides the means and guidance for the conduct of any remote meetings of the Council, its various Committees and Sub-Committees.

The Regulations, made under section 78 of the Coronavirus Act 2020, apply notwithstanding any other legislation or current or pre-existing standing orders or any other rules of the Authority governing meetings and remain valid until 7th May 2021. This means that, wherever there is a conflict, this Protocol and Procedure for Remote Meetings takes precedence in relation to any remote meeting.

### **Terminology**

In this protocol the following terms are used

Chair – the elected member who is appointed or elected to chair the meeting

Committee Manager – the KBC officer appointed to manage access to the meetings, advise the chair on procedure and protocol and ensure all who have a right to participate in the meeting are enabled to do so effectively

Democratic Services Officer – the person taking the minutes

Legal Officer – the Committee's legal adviser.

Planning Officer – the officer providing advice and information to the committee on each item/application before it.

### **1. How will Meetings be notified and papers be provided?**

- 1.1. Meetings of the Council are published on the Council's website with agenda and reports uploaded 5 working days before the meeting is due to take place.
- 1.2. The proper officer will continue to ensure that this is the case and the 'place' at which the meeting is to be held, i.e. for remote meetings the video-conferencing internet address, will be written on the front of the agenda with access details for that meeting provided.
- 1.3. Members will also be notified of any remote meeting by email and access to all agenda papers will be provided via the Authority's website and by physical delivery of papers to Committee members and relevant officers.

#### **1A Access to Information**

For the purposes of the Constitution the terms "place of meeting", "place", "meeting" shall also mean a virtual meeting as defined by a video-conferencing web address and all information relating to this shall be accessible from the Council's website – [www.kettering.gov.uk](http://www.kettering.gov.uk)

For the purposes of the Constitution the terms "agenda" and "reports" will refer to those posted on the Council's website.

**Amends Part 4A 6 (Time and Place of Meetings), 4A 7 (Notice of Summons to Meetings), 4D 4 (Notice of Meetings), 4D 5 (Access to Agendas and Reports Before the Meeting), 4D 6 (Supply of Copies)**

## **2. How will remote access to Meetings be provided?**

- 2.1. Members and members of the press and public will be encouraged to use any video conferencing facilities provided by the Council to attend and participate (members and public speakers) in a meeting remotely or to observe the meeting via live audio and video feeds (press and public). Information on how to watch the live feed will be published on the front of each meeting agenda.
- 2.2. If technology fails for a wholly virtual meeting, and the meeting is therefore no longer open to the public, any decisions made could be challenged as unlawful and the meeting must be halted either temporarily or completely, depending on the length in time of the failure.
- 2.3. It is important to note that the public viewing the meeting by remote means, as described here, is different from the public attending to exercise a right to speak. A technological failure that removes the ability for the public to view the meeting by remote means may render the whole meeting incapable of proceeding (as described above). A member of the public who attends to exercise their right to speak and is unable to do so where the fault lies with the technology provided by the Council may render only their item incapable of proceeding (This is set out in paragraph 5 below).

### **2A Remote Access to Meetings**

(a) If the Chair is made aware that the meeting is not accessible to the public to view through remote means, due to any technological or other failure of provision, then the Chair shall adjourn the meeting immediately. If the provision of access to view through remote means cannot be restored within a reasonable period, then the remaining business will be considered at a time and date fixed by the Chair. If he or she does not fix a date, the remaining business will be considered at the next ordinary meeting.

### **Amends 4D 3(Rights to Attend Meetings)**

## **3. Management of Remote Meetings for Members**

- 3.1. Any Member participating in a meeting remotely, must when they are speaking, be able to be heard (and ideally seen) by all other Members in attendance, and the remote participant must, in turn, be able to hear (and ideally see) those other Members participating.
- 3.2. In addition, a remote participant must be able to be heard by, and in turn hear any members of the public entitled to attend the meeting and who exercise a right to speak at the meeting.
- 3.3. The Committee Manager will normally confirm at the outset of any virtual meeting and at any reconvening of it that they can see and hear all participating members. Any Member participating remotely should also confirm at the outset and at any reconvening of the meeting that they can see and hear the proceedings and the other participants and indicate to the Committee Manager if this is not the case.
- 3.4. The attendance of those members at the meeting will be recorded by the Democratic Services Officer.
- 3.5. The normal quorum requirements for meetings as set out in the Authority's Constitution will also apply to a remote meeting.
- 3.6. In the event of any apparent failure of the video, telephone or conferencing connection, the Chairman should immediately determine if the meeting is still quorate:
  - if it is, then the business of the meeting will continue; or

- if there is no quorum, then the meeting shall adjourn for a period specified by the Chairman, expected to be no more than ten or fifteen minutes, to allow the connection to be re-established.
- 3.7 Should any aspect of an individual's remote participation fail, the Chair may call a short adjournment of up to five minutes or so to determine whether the connection can quickly be re-established, either by video technology or telephone in the alternative. If the connection is not restored within that time, the meeting should continue to deal with the business whilst this happens, providing the meeting remains quorate and the public are able to hear.
- 3.8 In the event of connection failure, the remote Member(s) will be deemed to have left the meeting at the point of failure and if the connection cannot be re-established to those Member(s) before the end of the meeting, then the presumption will be that the meeting should continue to deal with the item/s.
- 3.9 If the connection is successfully re-established, then the remote Member(s) will be deemed to have returned at the point of re-establishment.
- 3.10 If a connection to a Member is lost during a regulatory meeting, the Chair will stop the meeting to enable the connection to be restored. If the connection cannot be restored within a reasonable time, the meeting will proceed, but the Member who was disconnected will not be able to vote on the matter under discussion as they would not have heard all the facts.

### **3A Members in Remote Attendance**

- (a) A Member in remote attendance is present and attends the meeting, including for the purposes of the meeting's quorum, if at any time all three of the following conditions are satisfied, those conditions being that the Member in remote attendance is able at that time:
- (i) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other Members in attendance.
  - (ii) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
  - (iii) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.
- (b) A Member in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance contained in (a) above are not met. In such circumstance the Chair may, as they deem appropriate;
- (i) adjourn the meeting for a short period to permit the conditions for remote attendance of a Member contained in (a) above to be re-established;
  - (ii) count the number of Members in attendance for the purposes of the quorum; or
  - (iii) continue to transact the remaining business of the meeting in the absence of the Member in remote attendance.

**Amends Part 4D 9 of the Constitution, (Quorum)**

#### **4. Remote Attendance of the Public**

- 4.1. Any member of the public participating in a meeting remotely in exercise of their Right to Speak at Council or in regulatory or other meetings must meet the same criteria as members of the Council. Members of the public participating in a meeting remotely must, likewise, when they are speaking be able to be heard (and ideally be seen) by all other Members in attendance, and the remote participant must, in turn, be able to hear (and ideally see) those other members participating be so heard and, where practicable, be seen by any other members of the public participating in the meeting.
- 4.2. The process for determining access to participate and speak at a meeting is in accordance with Article 4A 27 (Right to Speak) and 4J 2 (Development Control) and 4J 3.1/3.2 for the purposes of the regulatory committees. The regulatory committees includes the requirement of advance notification from members of the public wishing to attend remotely. For those items of business a request should be made by 12 noon the day before the commencement of the meeting and an invitation to participate in the remote technology will then be sent out in advance.
- 4.3. Members of the public who have registered to speak with the intention of attending remotely should sign into the meeting platform under the same name as they registered. Failure to do so may result in no admittance to the meeting.
- 4.4. In case of members of the public being unable to participate remotely, or wishing to have their representation recorded or read out they are invited to provide their representations beforehand, in an audio file and/or in writing to Democratic and Legal Services by 12 noon the day before the meeting. Submissions, petitions or questions received from the public can then be read out by the Chair or Committee Manager.
- 4.5. Speakers will be invited into the meeting via the Committee Manager and he/she will be able to remove them once they have spoken, or following the instruction of the Chair.

#### **4A Remote Attendance by Members of the Public**

(a) A member of the public entitled to attend the meeting in order to exercise a Right to Speak at the meeting is in remote attendance at any time if all three of the following conditions are satisfied, those conditions being that the member of the public in remote attendance is able at that time:

- (i) to hear, and where practicable see, and be so heard and, where practicable, be seen by, Members in attendance;
- (ii) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any other members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
- (iii) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.

(b) A member of the public in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance contained in Standing Order 4A(a) above are not met. In such circumstance the Chairman may, as he or she deems appropriate:

- (i) adjourn the meeting for a short period to permit the conditions for remote attendance contained in Standing Order 4A(a) above to be re-established;
- (ii) suspend consideration of the item of business in relation to the member of public's attendance until such time as a following item of business on the agenda has been transacted and the conditions for the member of the public's remote attendance have been re-established or, on confirmation that this cannot be done, before the end of the meeting, whichever is the earliest; or
- (iii) continue to transact the remaining business of the meeting in the absence of the member of the public in remote attendance.

© A member of the public if wishing to speak at the Planning or Licensing Committee shall register their requests with Democratic and Legal Services prior to 12 noon on the day before the meeting.

**Amends Part 4A 11 of the Constitution, (Questions by the public), 4J 2.4 (Development Control) and amends any scheme for public participation in respect of planning, licensing and other committees**

#### **5. Meeting Procedures**

- 5.1. The Committee Manager will support the Chair and their role will be to control the video, telephone or conferencing technology employed for remote access and attendance and to administer the public and Member interaction, engagement and connections on the instruction of the Chair.
- 5.2. The Chair will make introductions to the meetings and make clear he/she will introduce all speakers by name (members, officers, public speakers) prior to them speaking.
- 5.3. Members of the meeting and those appearing to speak, will be asked by the Chair to mute all microphones and only speak when invited to do so by the Chair. Members will be asked by the Chair to refer to report page/paragraph numbers when referring to officer reports in advance of speaking on that matter. A short period may be given to allow all members to locate this part of the report.
- 5.4. Members are asked to use the "raise hand" facility on the platform/visually signal if they wish to speak/ask questions at any point. Those wishing to speak to be noted by Committee Manager and communicated to the Chair
- 5.5. In respect of key committee meetings, it will assist the meeting if those Members who wish to speak on a particular item could also indicate in advance their wish to speak to the Chair and to the Committee Manager where possible.

- 5.6. The Chair will follow the rules set out in the Constitution when determining who may speak, as well as the order and priority of speakers and the content and length of speeches in the normal way.
- 5.7. The Chair, at the beginning of the meeting, will explain the protocol for member and public participation and the rules of debate. The Chair’s ruling during the debate will be final.
- 5.8. Members are asked to adhere to the following etiquette during remote attendance at a meeting:
- Committee members are asked to join the meeting **no later than fifteen minutes** before the start to allow themselves and the Committee Manager the opportunity to test the equipment;
  - Any camera (video-feed) should show a non-descript background and members should be careful to not allow exempt or confidential papers to be seen in the video-feed.
  - Type their name on joining the meeting in full, e.g., “Cllr Joanne Smith”
- 5.9. Where members of the public are exercising speaking rights at the meeting via remote attendance, the Chair will, as part of his or her introduction, explain the procedure for their participation which will reflect those relevant elements of the above. Members of the public must adhere to this procedure otherwise they may be excluded from the meeting.
- 5.10. When the Chair is satisfied that there has been sufficient debate and (if the rules of the meeting require) there is a proposer and seconder for the item being discussed the Chair will progress to making a decision. Unless a Recorded Vote is called, the method of voting will be the Chair requesting each member present to verbally indicate their vote as “for/against/abstain”, voting cards reading the same will also be provided to members should there be any audio issues.
- 5.11. A final tally of votes will be provided by the Democratic Services Officer, and the Chair then states the decision made as a result of vote.
- 5.12. Details of how individual Members voted will not be recorded in the minutes unless a Recorded Vote is called. Where a Recorded Vote is requested this must accord with Council’s constitution and the Democratic Services Officer will undertake this by asking each member in turn by name for their voting preference.

## 6. Declaration of Interests

- 6.1. Any Member participating in a remote meeting who declares a disclosable pecuniary interest, or other declarable interest, in any item of business that would normally require them to leave the room, must also leave the remote meeting. Their departure will be confirmed by the Committee Manager who will invite the relevant Member by email or telephone, to re-join the meeting at the appropriate time. Members must close their video and audio feeds to the meeting until requested to re-join the meeting.

### **6A Members excluded from the meeting**

Where a Member is required to leave the meeting, the means of remote attendance and access is to be severed both for video and audio feeds whilst any discussion or vote takes place in respect of the item or items of business which the member or co-opted member may not participate.

**Amends Part 4A 29 (.Disclosable Pecuniary Interests ) of the Constitution,**

## 7. Exclusion of Public and Press

- 7.1. There are times when council meetings are not open to the public, when confidential, or “exempt” issues (as defined in Schedule 12A of the Local Government Act 1972) are under consideration. Where remote technology is used, the Committee Manager will ensure that there are no members of the public in remote attendance or remotely accessing the meeting via a live stream and able to hear or see the proceedings once the exclusion has been agreed by the meeting. For the purposes of these instances the meeting will be divided into 2 parts and the confidential/exempt item will be held in the second part of the meeting and members will be requested to log in the meeting again without the live feed being broadcast or members of the public having access to the video-conferencing software.
- 7.2. Each Member in remote attendance must ensure and verbally declare that there are no other persons present who are not entitled to be either hearing or seeing consideration of such items, and/or recording the proceedings.
- 7.3. Any Member in remote attendance who fails to disclose that there were in fact persons present who were not so entitled are likely to be in breach of the Members’ Code of Conduct.

## **8. Public Access to Meeting Documentation following the meeting**

- 8.1 Members of the public may access minutes, decisions, a recording of the live feed of the meeting and other relevant documents through the Council’s website.

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### CHANGES TO PROCEDURE RULES

(NB each committee named will need to approve these changes at its first virtual meeting)

Council Procedure Rule	Existing Provision	Temporary Amendment
General (1)	Any reference to attending or being <i>at the meeting</i> includes being present on the Zoom platform for the purposes of participation	
(2)	Any reference <i>to the location</i> of the meeting includes the digital address of the meeting as communicated to participants in advance. It also includes the digital address of the public broadcast of the meeting as published by the Council on its agenda and on its website at the time that the agenda is published.	
4A. 10 Duration of meeting	Two hour guillotine, no meeting to continue beyond 9pm	Meetings to start at 6pm and not continue past 9pm, to enable virtual meetings to proceed at their own pace.
4L 2.4.	Requests to address the committee on an application should be received by 5pm on the day before the meeting	Deadline to be moved forward to noon on the day before the meeting, to give time to ensure the speaker is set up to participate virtually
4L 2.8.	A list of the accepted requests to address the meeting shall be circulated at the meeting	A list of the accepted requests to address the meeting shall be circulated by 5pm on the day of the meeting to members of the committee.
4L 2.10	The procedure for considering applications ..... A planning officer shall provide any update to the information included in the report	This item normally includes the reading out of late letters, which are circulated at the meeting; for virtual meetings, late letters will only be accepted if they are received by 5pm on the day before the meeting, so that they and any updates relating to an application can be sent by email to all members and published on the council website.
4L 2.10	The speaker shall be invited to address the meeting	When registering to speak speakers must elect one of the following three options: <ol style="list-style-type: none"> <li>1. Providing a written speech which will be read at the meeting by the Chair or officer of the council, (such speech must be 3 minutes or less when read at an audible pace)</li> <li>2. Submitting an audio recording of the speech of 3 minutes or less</li> <li>3. Electing to speak live at the meeting. Speakers must have sufficient</li> </ol>

**Item 9. Appendix 2**

		<p>internet connection, and must provide a copy of the speech in the event that they are unable to connect to the meeting for any reason. Live speakers will be given only one opportunity to speak live.</p> <p>Only speakers choosing to speak live in the virtual meeting will be provided with log in details to access the virtual meeting. Speakers choosing a pre-recorded option will be able to live-stream the proceedings on YouTube.</p> <p>All speakers will be asked to provide a text copy of their speech to the committee administrator beforehand so that, in the event of losing contact, the chair can complete the speech on their behalf.</p> <p>All audio speech clips submitted must be received no later than midday on the day of the meeting to allow time for them to be uploaded ahead of the meeting.</p> <p>Members of the public who have registered to speak with the intention of attending remotely should sign into the meeting platform under the same name as they registered. Failure to do so may result in no admittance to the meeting.</p>
4L 2.13	The applicant and third parties shall be allowed to use A4 transparencies and such other visual aids to support their presentation as the Chair may allow	Applicants and third parties will need to submit any visual materials to Democratic Services (this is current practice) 48 hours before the meeting so that these can be uploaded for virtual presentation during the meeting. The council reserves the right to refuse any visual aid that cannot be uploaded/shown for technical reasons, however it would work with the party to try to resolve these issues.
2.14	The chair will stop any address where it seems to them that the speaker is making statements of a personal or slanderous nature or is being abusive	TO ADD And the Chair has the right to mute the speaker in these circumstances. The Chair also retains the option of “removing” a person from the virtual meeting.
2.15	Speakers will return to the public seating area when they have concluded their presentation and answered	Live Speakers will be held in a virtual waiting room and invited to address the meeting at the relevant time; once they have made their speech and answered any follow-up

**Item 9. Appendix 2**

	any questions from members seeking clarification of any of their points.	questions from members, they will be removed from the meeting and may continue to follow proceeding via the live stream on YouTube.
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## “At a Glance” – Executive Committee meeting procedures

### Pre-meeting

Members and Officers are asked to adhere to the following etiquette during remote attendance at a meeting:

1. Committee members are asked to join the meeting **no later than fifteen minutes** before the start to allow themselves and the Committee Manager the opportunity to test the equipment;
2. Any camera (video-feed) should show a non-descript background and members should be careful to not allow exempt or confidential papers to be seen in the video-feed.
3. Type their name on joining the meeting in full, e.g., “Cllr Joanne Smith”. Officers in attendance should type their full name followed by “Planning”, “Legal”, “Democratic” as appropriate. Full job titles cannot be accommodated.

### Introductions

1. Introduction by Committee Chair noting the virtual nature of the meeting, asking viewers and those involved in the meeting to be patient with proceedings given the virtual nature of the meeting.
2. Chair to make clear he/she would introduce all speakers by name (members, officers, public speakers) prior to them speaking
3. The Chair, at the beginning of the meeting, will explain the protocol for member and public participation and the rules of debate. The Chair’s ruling during the debate will be final.
4. Committee Manager to ensure at outset that all participants can be heard (and preferably seen) and can hear and (preferably see) all other participants
5. Register of committee members present taken by Democratic Services Officer
6. Usual business order then undertaken (apologies, declaration of interests, minutes (“Chair will sign these when it is possible to do so”))
7. Members to be asked by Chair to mute all microphones and only speak when invited to do so by the Chair
8. Members to be asked by Chair to refer to report page/paragraph no’s when referring to officer report
9. Members asked to “raise hand” on Zoom/visually signal if they wished to speak/ask questions at any point. Those wishing to speak to be noted by Committee Manager and communicated to the Chair

### Proceedings

1. For each item Chair reads out full item title.

### Item 9. Appendix 3

2. Chair then invites Officer to present report, including any presentations. Once report presentation has concluded the Chair to announce that it is time for public speakers to address the committee.
3. Contributions from members of the public or non-Executive Councillors, including those submitted by audio or video. Speakers invited in from Zoom “waiting room” by Committee Manager in appropriate order, one at a time to provide their 3 minute address. Written submissions to be read by the Chair with a caveat at the start and beginning “these are the words of XXX”.
4. Portfolio Holder introduces the report.
5. Members invited by the Chair to debate/provide comments/ask questions. Chair re-states the officer recommendation that members will be voting on.
6. Chair seeks proposer and seconder for a specific recommendation to be voted on.
7. If a connection to a Member is lost during consideration of an application, the Chair will stop the meeting to enable the connection to be restored. If the connection cannot be restored within a reasonable time, the meeting will proceed.
8. Chair requests each member present to verbally indicate their vote as “for/against/abstain”, voting cards reading the same can also be provided should there be any audio issues.
9. “Final Score” of votes provided by Democratic Services Officer. Chair then states the decision made as a result of vote.
10. Chair moves on to next item and repeats proceedings as before.

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<b>Report Originator</b>	Strategic Management Team	<i>Fwd Plan Ref No: A20/001</i>	
<b>Wards Affected</b>	All	16 <sup>th</sup> June 2020	
<b>Title</b>	<b>COVID-19: BUDGET IMPLICATIONS AND MONITORING</b>		

**Portfolio Holder: Cllr Lloyd Bunday**

**1 PURPOSE OF REPORT**

The purpose of the report is to:

- a) Provide a high-level analysis of the financial implications that the COVID-19 Pandemic has brought;
- b) Consider a range of possible budget outcomes for the remainder of the current financial year, and into the medium term.
- c) Appraise members of the Small Business Grants scheme(s) and seek delegated authority to amend the current scheme, if required.

**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 few months.
- 2.2. The scale of the Covid-19 Pandemic has resulted in public agencies having to work together on a scale never seen before, and for a significant period work under the emergency planning protocols that instigated in every regions of the country.
- 2.3. It is too early to objectively assess the success of the joint working that has been undertaken, however it is fair to conclude that at local authority level the joint working arrangements between all the local authorities have worked very well. This has in no small measure been due to the foundation that already existed because of the joint working that was taking place on the local government re-organisation project.
- 2.4. This report does not seek to outline the additional services and functions that the council has undertaken in the past few months to help the multi-agency effort. The report does however seek to identify the potential financial impact of recent events, through considering a range of possible outcomes.
- 2.5. In reading this report, members will recognise that there are more questions than answers at the present time. However, the report outlines what the key issues are – and what a range of possible outcomes could be. Future reports to this committee will provide more information as we go through the financial year.

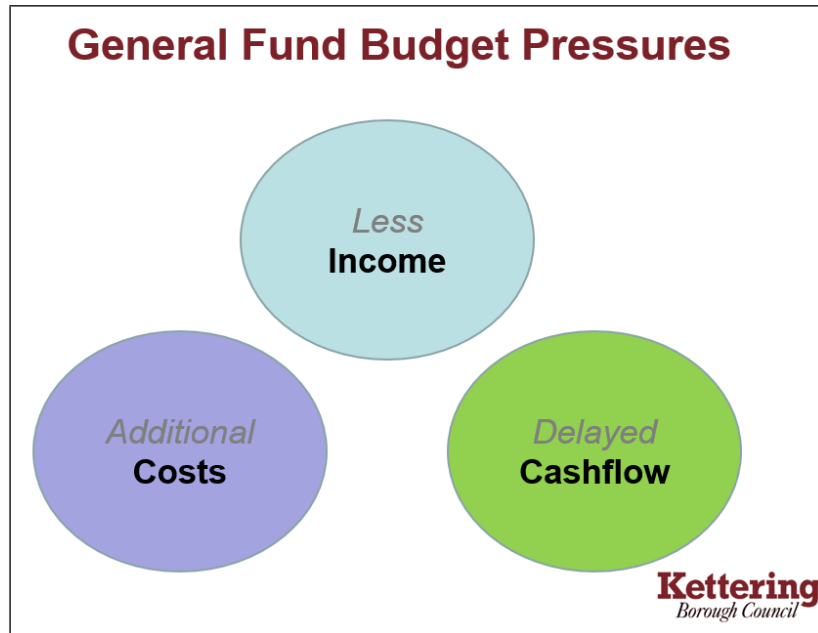
## BOROUGH OF KETTERING

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- 2.6. Members are reminded that the Council has had a strong financial base for many years now. This stems from the suite of guiding principles that have been carefully adhered to, together with the strategy that the council adopted in 2017 to become more of an entrepreneurial council whereby a risk based approach to investment was embarked upon – to increase the council's income streams to protect funding to the council's essential services.
- 2.7. This report takes a different format from previous budget reports to this committee, to reflect the circumstances of the current environment in which we are operating. The report considers the following categories;
- **Already 'Crystallised'** – lost income and additional expenditure that has already taken place.
  - **Forecast Going Forward** – Modelling Going Forward (3 Scenarios being modelled)
  - **Delayed but maybe Recoverable** – This relates mainly to cashflow items, some of which may be recoverable at a later date.
- 2.8. The '**Forecast Going Forward**' models the following three scenarios and generally assumes the following periods of economic downturn;
- **Model A** – 3 months
  - **Model B** – 6 months
  - **Model C** – 9 months
- 2.9. This report focuses on the financial implications for the council's General Fund Budget. There is commentary later in the report about the Housing Revenue Account and the Capital Programme – although these will be covered in more detail in future reports to this committee.
- 2.10. The following diagram categorises the pressures that the General Fund is experiencing as a result of COVID 19 - each of these are covered in more detail in Sections 3 to 5 of this report.

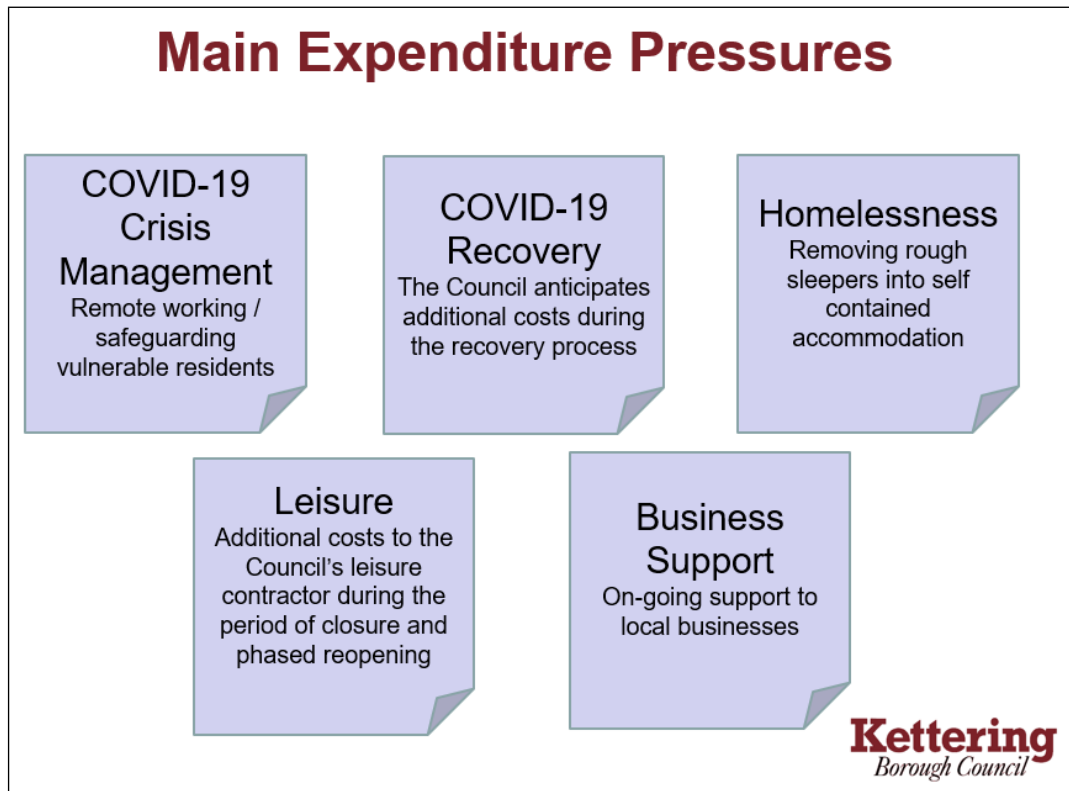


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**3. EXPENDITURE**

3.1 The Council's Gross Expenditure Budget for 2020/21 is around £60m. The main expenditure pressures resulting from COVID 19 are summarised below;

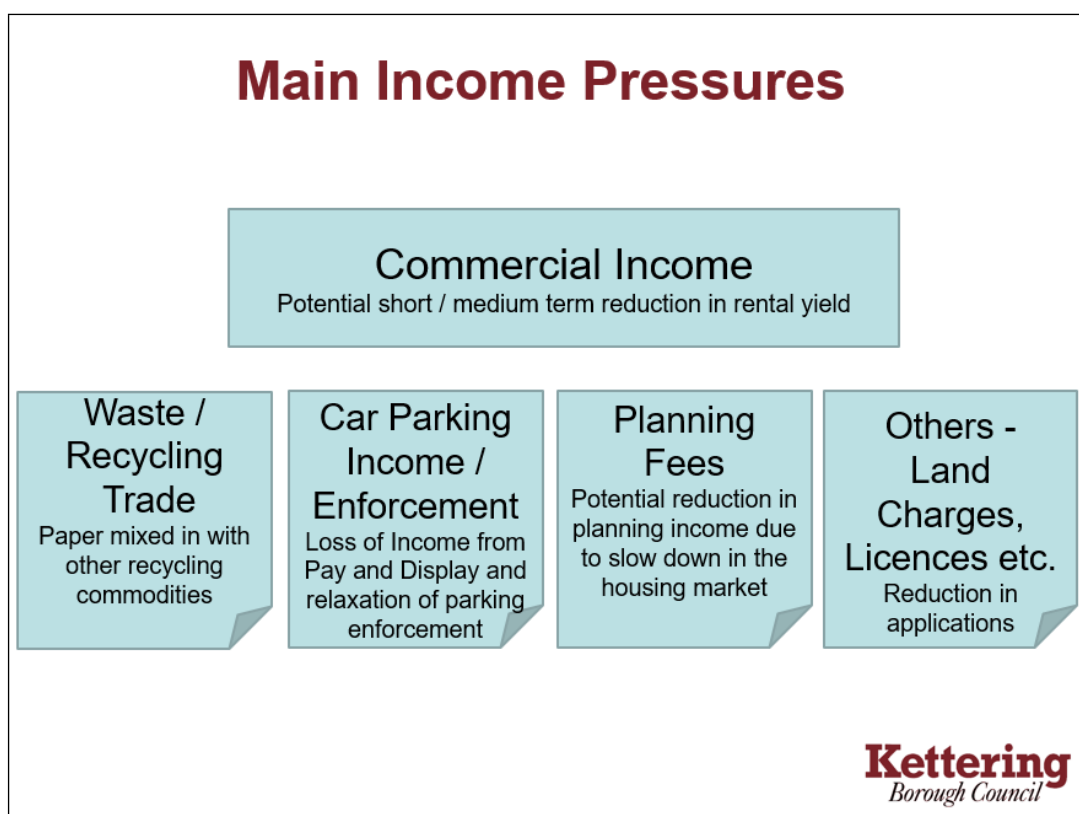


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3.2 The Councils and other public agencies have worked together to safeguard vulnerable people with the main priority ‘to preserve and protect life’. Like all public agencies, KBC has had to respond to the COVID 19 crisis at pace and has made arrangements for a significant proportion of the workforce to operate remotely, whilst still operating essential services and pro-actively playing a key role in the emergency planning procedures that have been in place.

**4. INCOME**

4.1 The Councils Gross Income Budget in 2020/21 amounts to £51m – the main areas facing pressure as a result of COVID-19 are summarised below

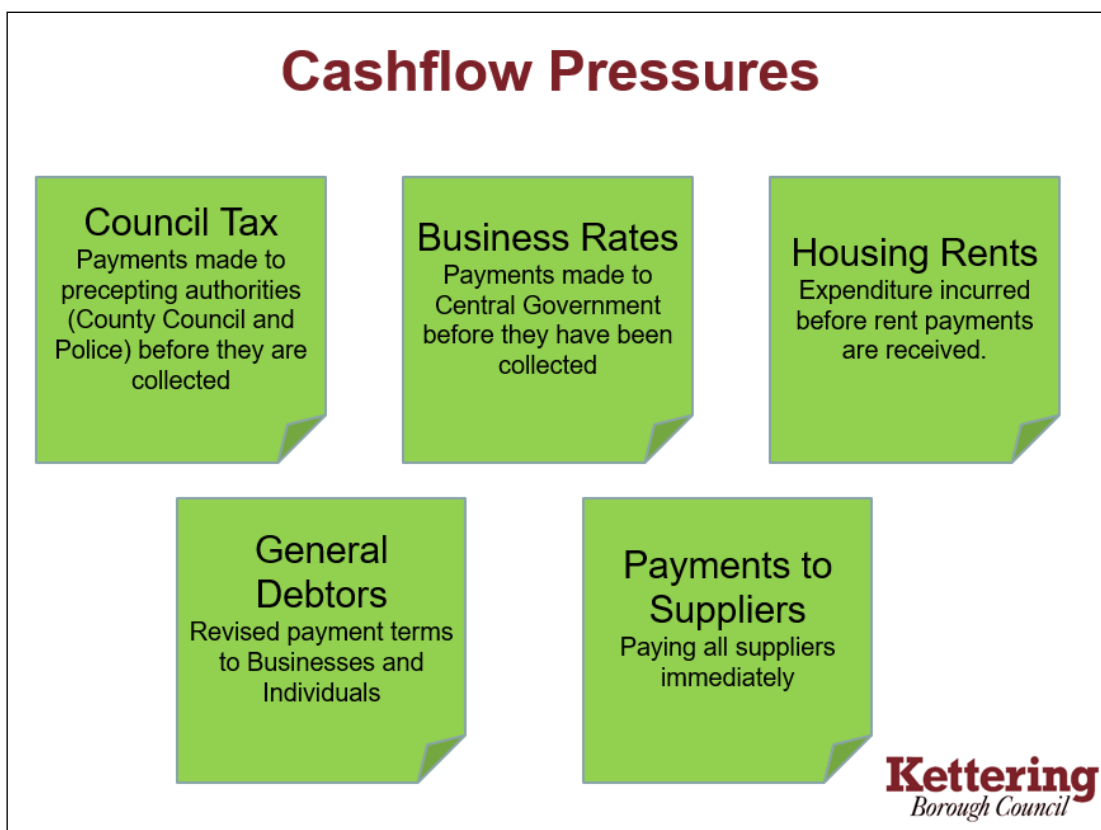


**5. CASHFLOW**

5.1 Kettering Borough Council along with other District and Borough Councils are classed as ‘Billing Authorities’ meaning they are responsible for the Billing and Collection of Council Tax and Business Rates. This can create a cashflow pressure when precept payments are paid out to precepting authorities (County Council and Police) before they are collected. The pressures are the same for Business Rates if payments are paid to Central Government before they have been collected. The Council estimates to collect around £61m in Council Tax

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and around £34m in Business Rates in 2020/21. The following diagram illustrates the main cashflow pressures.



**6. FINANCIAL MODELLING**

- 6.1 This section of the report brings together the pressures that have been outlined in the previous sections of the report (i.e., expenditure, income, and cashflow) and considers them against the three modelling scenarios that were outlined earlier in Section 2.8.
- 6.2 The following table provides a summary of the possible financial implications of the Covid-19 Pandemic. The detail workings behind this summary are included in Appendix 1.

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Budget 2020/21	Summary of Pressures	Crystallised at 31/05/2020	Full Year Forecast (2020/21)		
			Model A	Model B	Model C
£'000		£'000	£'000	£'000	£'000
(1,066)	Income Lost - Not Recoverable	142	413	568	738
(5,504)	Income Lost - Some Potentially Recoverable	0	427	1,449	2,755
968	Expenditure Pressures	30	589	1,008	1,544
<b>(5,602)</b>	<b>TOTAL</b>	<b>172</b>	<b>1,429</b>	<b>3,025</b>	<b>5,037</b>
	Covid-19 Govt Grant Received		(1,069)	(1,069)	(1,069)
	<b>Potential Deficit</b>		<b>360</b>	<b>1,956</b>	<b>3,968</b>

6.3 To clarify the contents of the table, reflect the main pressures arising from COVID-19 it is worth explaining the 'Income Lost – Not Recoverable' line;

### Income Lost – Not Recoverable

- The budget figure for 2020/21 (on the left) is the approved budget figure
- 'Crystallised at 31/5/2020' reflects income that has been lost – which is not recoverable
- The full Year Forecast (2020/21) shows the potential scale based on the three scenarios – outlined in Section 2.8.
- The same explanations apply to the other lines shown in the table.

6.4 From the figures in Table 1, it can be seen that the range of budget pressures is shown to be between £1.429m and £5.038m. At this stage it is too early to tell what the final figures will be. This is because a significant element of the pressures will not crystallise until later in the year – especially those relating to income and cash flow. The figures will also be impacted by the recovery phase of the Pandemic – at this stage it is not possible to put accurate figures to this, but this will be possible in the coming months when the situation starts to become clearer.

6.5 On 19 March 2020, the government announced £1.6bn of additional funding for local government to help them respond to COVID-19 pressures across all the services they deliver. The 188 District Councils nationally were allocated around £9.7m (0.61%) and Kettering Borough Council received around £45,000. A further £1.6bn in additional funding was announced on 18 April 2020. The District Councils were allocated around £214m (13.4%) and Kettering Borough Council received around £1.026m – resulting in this Council receiving funding of around £1.070m.

6.6 Whilst the additional funding from Central Government is welcome – the pressures (additional expenditure and reduced income) across the Sector are estimated to be 3 or 4 times higher compared to the funding that has been received to date.

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- 6.7 After taking account of Government funding that has been received of £1.069m the potential pressures could range between £360,000 and £3.968m.
- 6.8 The Council through the various networks continue to evidence these pressures to MHCLG and it is widely acknowledged across the sector that more funding is required from central government.
- 6.9 A key element of Medium-Term Planning is the use of in-year budget intelligence which can then be extrapolated to future years. The scale of uncertainty makes meaningful Medium-Term Financial Planning (MTFP) difficult. Further assessments of the financial landscape will be made over the coming months to inform the approach that will be taken to MTFP.

## **7. FUTURE YEARS**

- 7.1 Whilst the focus of this report has mainly been around 2020/21 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 Sections 3 and 4 could include the following
- Reduced Council Tax Yield
  - Impact of the delay to the Fair Funding Review
  - Impact of Business Rates Baseline Reset
- 7.2 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 impact for the new Unitary authority.
- 7.3 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
- 7.4 The Government announced on 29<sup>th</sup> April that the move to 75% business rates retention and changes to how funding is distributed between councils under the fair funding review will not now go-ahead next year. This is the second year the reforms have been deferred and it had been anticipated that a full consultation would take place this summer.
- 7.5 Whilst the introduction of 75% Business Rates Retention (BRR) is being delayed, the Business Rates Baseline (BRB) the point from which growth is measured is still be confirmed. If the BRB were to be reset this could remove a

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significant amount of growth that is retained locally and could result in this being redistributed on a different basis which is unlikely to benefit areas such as Northamptonshire that have experienced high levels of Business Growth.

## **8. HOUSING REVENUE ACCOUNT**

- 8.1 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 are broadly in line to those collected in previous years.
- 8.2 The 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. Updates relating to the financial position on the HRA will be provided as part of future durable budget reports.

## **9. CAPITAL PROGRAMME**

- 9.1 The timing for delivering the 2020/21 General Fund Capital Programme could be impacted on by COVID 19. This is an area the Council will continue to monitor closely, and any updates will form part of future durable budget reports.
- 9.2 The Council's ability to deliver the Housing Revenue Account capital programme as previously planned has been severely impacted as result of COVID 19. Therefore, a 'Plan B' capital programme has been created in order to maintain investment in the housing stock at planned levels in 2020/21, this is the subject of a separate report (Item 11) to this Committee meeting.

## **10 SMALL BUSINESS GRANTS**

- 10.1 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).
- 10.2 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 businesses that had a rateable value of over £15,000 and less than £51,000 received a grant of £25,000.
- 10.3 Local Authorities were responsible for making payments to businesses and the scheme was fully funded by the Government. This Council's initial allocation was £17.9m and the scheme was administered in accordance with the criteria set out by the Government. Details of the scheme are available at <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/a>

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[ttachment\\_data/file/887310/local-authority-discretionary-fund-la-guidance-v2.pdf](https://www.kettering.uat.jadu.net/attachment_data/file/887310/local-authority-discretionary-fund-la-guidance-v2.pdf)

- 10.4 The Government on 1<sup>st</sup> May 2020 announced a second scheme which is known as the 'Discretionary Grants Fund'. This additional fund is aimed at small and micro businesses who were not eligible for the SBGF or the RHLGF.
- 10.5 The Council launched its discretionary business grant scheme on 1st June, having been allocated around £800k of additional funding by the Government to support small businesses.
- 10.6 The Government allowed for three grant levels of £25,000, £10,000 or up to £10,000, but it is up to the local authority to decide how is best to administer the scheme. To try and support the maximum number of eligible businesses across the borough, Kettering Borough Council has set five levels of grants (£25,000, £10,000, £7,500, £5,000, £2,500) which will be directly proportionate to the level of property costs and impact on income due to the COVID-19 crisis.
- 10.7 To be eligible, businesses must have been trading on March 11, 2020 and not been able to access any other Government grant funding (excluding Coronavirus Job Retention Scheme or Self-Employed Income Support Scheme). The following types of businesses will be prioritised:
- Small and micro businesses in shared offices or other flexible workspaces
  - Regular market traders who do not have their own business rate assessment
  - Bed and Breakfasts which pay council tax instead of business rates
  - Charity properties that receive charitable business rates relief, which would otherwise have been eligible for small business rates relief or rural rate relief.
  - Hospitality, leisure, retail, culture and creative sectors
  - Independently owned manufacturing businesses
- 10.8 The closing date for applications for the Discretionary Grants Fund was midnight on Sunday 14 June. Once the applications have been received the council will review them. Further details regarding the scheme together with the online form is available at [https://www.kettering.uat.jadu.net/forms/form/389/en/discretionary\\_grant\\_fund](https://www.kettering.uat.jadu.net/forms/form/389/en/discretionary_grant_fund)
- 10.9 The SBGF and RHLGF parameters and funding levels were defined by Government – the Discretionary Fund scheme widens access for support to businesses, and as with the first scheme authorities are being asked to make payments as quickly as possible to support businesses. Owing to the short timeframe members are asked to endorse the Discretionary Fund scheme and delegate authority to the Executive Director (Lisa Hyde), in consultation with the

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Finance Portfolio Holder to amend the current scheme, to fit local circumstances to ensure that the budget allocation is utilised and businesses in the borough receive the maximum amount of financial support.

### **11 CLIMATE CHANGE IMPLICATIONS**

- 11.1 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.

### **12 USE OF RESOURCES / POLICY IMPLICATIONS**

- 12.1 As outlined in the report.

### **13. RECOMMENDATIONS**

That the Executive Committee;

- I. note the potential range of financial implications resultant from the current Covid-19 Pandemic
- II. endorse the previous action of the council re: the criteria and processes for the administration of the Small Business Grant Schemes, and grant delegated authority for the Executive Director, Lisa Hyde (in consultation with the Finance Portfolio Holder) to amend the current Discretionary Scheme to ensure that it continues to fit local circumstances.

Background Papers:

Contact Officers: M Dickenson

Previous Reports/Minutes:

Monthly Durable Budget Reports



# Appendix 1

## Appendix 1

Area	Budget 2020/21 £'000	Crystallised at 31/05/20 £'000	COVID Pressures (Model A) £'000	COVID Pressures (Model B) £'000	COVID Pressures (Model C) £'000
Car Parking - On Street	(505)	70	142	254	365
Car Parking - Off Street	(561)	72	270	314	373
<b>Income Lost - Not Recoverable</b>	<b>(1,066)</b>	<b>142</b>	<b>412</b>	<b>568</b>	<b>738</b>
Treasury Management (exc Borrowing)	(840)		0	84	210
Commercial Investments	(2,731)		275	784	1,508
Trade Waste	(274)		14	27	69
Planning & Building Control Fees	(1,104)		0	276	552
Council Tax Court Costs	(555)		139	278	416
<b>Income Lost - Potentially Recoverable</b>	<b>(5,504)</b>		<b>428</b>	<b>1,449</b>	<b>2,755</b>
Domestic Recycling / Waste	(179)		147	251	433
Homelessness	879		80	115	150
Leisure	38	30	150	200	250
Other Items	230		212	442	711
<b>Expenditure Pressures</b>	<b>968</b>	<b>30</b>	<b>589</b>	<b>1,008</b>	<b>1,544</b>
<b>Gross Covid19 Impact</b>			<b>1,429</b>	<b>3,025</b>	<b>5,037</b>
<b>Covid19 Grant</b>			<b>(1,069)</b>	<b>(1,069)</b>	<b>(1,069)</b>
<b>Net Covid19 Impact</b>			<b>360</b>	<b>1,956</b>	<b>3,968</b>

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<b>Report Originator</b>	John Conway – Head of Housing	<i>Fwd Plan Ref No:</i> A20/003	
<b>Wards Affected</b>	All	16 <sup>th</sup> June 2020	
<b>Title</b>	<b>Covid-19 – Revisions to the HRA Capital Programme 2020/21</b>		

**Portfolio Holder: Cllr Mark Rowley**

**1. PURPOSE OF REPORT**

1.1 To seek Executive approval for budget virements in respect of the 2020/21 HRA Capital Programme.

**2. BACKGROUND INFORMATION**

2.1 The Council’s HRA Capital Programme 2020/21 was approved by Full Council at its meeting on 26 February 2020. The HRA Capital Programme is the vehicle for delivering planned investment and improvements to the Council’s housing stock. It comprises several strands:

- Major refurbishment projects to ensure the long-term viability of the housing stock.
- Planned maintenance projects which ensure that all homes meet the decent homes standard and are safe, weatherproof, warm and comfortable.
- Works to improve the environment and safety of our housing estates.

2.2 Stock condition data is used to target capital investment to housing estates across the borough.

2.3 Shortly after the capital programme for 2020/21 was approved, the United Kingdom was put into a state of ‘lock down’ due to the global Coronavirus (COVID-19) pandemic. As a result, the Council’s ability to deliver the capital programme as previously planned has been severely hampered. It is likely to continue to be so for many more months. Therefore, a ‘Plan B’ capital programme for the HRA has been created in order to maintain investment in the housing stock at planned levels during 2020/21.

2.4 The main impacts of the Coronavirus (COVID-19) pandemic on the current HRA Capital Programme 2020/21 are as follows:

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- Technical staff have been unable to visit tenants' homes to undertake pre-contract surveys and plan the internal works required in their properties (such as new kitchens and bathrooms).
- Many contractors have furloughed their staff during the lock down period, meaning it has not been possible to procure all elements of the capital programme.
- As the UK starts to exit lock down, many social distancing restrictions remain in place, meaning it will be difficult to undertake many of the planned projects until much later in 2020/21.
- Furthermore, there are expected to be supply chain difficulties as a higher demand is placed on suppliers by contractors.

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

- 3.1 The Tenants Forum was consulted on the current HRA Capital Programme prior to being approved by Full Council in February. There have been no Tenants' Forum meetings since the lock down period commenced, meaning it has not been possible to share the proposed 'Plan B' HRA Capital Programme 2020/21 with all members of the forum. However, the Vice Chair of the Tenant's Forum and the Tenant's Overview and Scrutiny Panel have been consulted on the changes.
- 3.2 Time constraints mean that the revised programme needs to be agreed at the first available meeting of the Executive Committee to enable as much time as possible within 2020/21 to implement the programme. The Tenants' Forum will be made aware of any changes made to the HRA Capital Programme 2020/21 budget at the next meeting of the forum.

### **4. POLICY IMPLICATIONS & USE OF RESOURCES**

- 4.1 The proposed amendments to the Council's HRA Capital Programme 2020/21 are set out in the table below. The main changes and a brief explanation for these are summarised as follows:
- **Reduce the Kitchen and Bathroom budget by £200,000** – This programme will need to be reduced due to not being able to undertake the surveys required to plan the works at present. In addition, social distancing measures will place restrictions on how the programme can be delivered. This programme was to be primarily delivered in the Crescents area of Kettering and will therefore now be reduced this year. The properties that are no longer covered in 2020/21 will be undertaken in 2021/22.

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- **Reduce the Desborough & Rothwell HFTF budget by £100,000** – This programme will need to be reduced due to not being able to undertake the surveys required to plan the works at present. In addition, social distancing measures will place restrictions on how the programme can be delivered. The Desborough programme will not be reduced to ensure that it completes, but the Rothwell programme which is due to commence will be reduced this year. The properties that are no longer covered in 2020/21 will be undertaken in 2021/22.
- **Reduce the Electrical budget by £210,000** – This programme will need to be reduced due to not being able to undertake the surveys required to plan the works at present. In addition, social distancing measures will place restrictions on how the programme can be delivered. This programme was to be primarily delivered in the Highfields area of Kettering and will therefore now be reduced this year. The properties that are no longer covered in 2020/21 will be undertaken in 2021/22.
- **Reduce the Adaptations budget by £200,000** – This programme will need to be reduced due to the vulnerability of the client group to Coronavirus meaning it is currently unknown when this programme will be able to commence. This programme was to be delivered across the borough and will therefore now be reduced this year. The properties that are no longer covered in 2020/21 will be undertaken in 2021/22.
- **Increase the Roof Renewal budget by £185,000** – This programme can be scaled up by bringing forward roofs identified for renewal in future years. As the works are delivered externally to the property, the impact of Coronavirus on the delivery of the programme is minimal. The additional properties that will be invested in during 2020/21 will primarily be in the Naseby Road area of Kettering. The future annual budgets for this programme will be reduced accordingly.
- **Increase the Communal Door Entry Systems budget by £155,000** - This programme can be scaled up by bringing forward communal door entry doors identified for renewal in future years. As the works are externally delivered to the blocks of flats and the installation time is short, the impact of Coronavirus on the delivery of the programme is minimal. The additional blocks that will be invested in during 2020/21 will be in various locations across the borough. The future annual budgets for this programme will be reduced accordingly.
- **Increase the Door Renewal budget by £160,000** – This programme can be scaled up by bringing forward front and back doors identified for renewal in future years. As the works can mainly be delivered externally and the installation time is short, the impact of Coronavirus (COVID-19) on

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the delivery of the programme is minimal. The additional properties that will be invested in during 2020/21 will primarily be in the Naseby Road area of Kettering. The future annual budgets for this programme will be reduced accordingly.

- **Increase the External Wall Insulation budget by £160,000** – This programme can be scaled up by bringing forward properties identified for the addition of External Wall Insulation in future years. As the works are externally delivered to the property, the impact of Coronavirus (COVID-19) on the delivery of the programme is minimal. The additional properties that will be invested in during 2020/21 will primarily be in the Naseby Road area of Kettering. The future annual budgets for this programme will be reduced accordingly.
- **Increase the Fire Precautions Health and Safety Compliance budget by £50,000** – This will enable us to undertake additional testing and servicing of equipment at various locations across the borough earlier than originally planned.

4.2 Table 1 provides a summary of the proposed budget virements to the 2020/21 HRA Capital Programme and appendix 1 sets out the revised capital programme for 2020/21.

<b>Table 1 - Budget Virements</b>					
<b>Virement from</b>				<b>Virement to</b>	
<b>Ref</b>	<b>Approved Budget</b>	<b>Scheme / Project</b>	<b>Amount</b>	<b>Scheme / Project</b>	<b>Amount</b>
<b>A</b>	£1,000,000	Desborough & Rothwell HFTF	£100,000	Communal Door Entry Systems	£100,000
<b>B</b>	£700,000	Kitchen and Bathroom Renewals	£200,000	Communal Door Entry Systems	£30,000
				Door Renewals	£160,000
				External Wall Insulation	£10,000
<b>C</b>	£500,000	Electrical System Upgrades	£210,000	Roof Renewals	£185,000
				Communal Door Entry Systems	£25,000
<b>D</b>	£500,000	Improving Homes for Disabled People	£200,000	External Wall Insulation	£150,000
				Fire Precautions Health & Safety Compliance	£50,000

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4.3 The works for the Council's HRA Capital Programme 2020/21 will be undertaken through a mix of Kettering Borough Council operatives and external contractors. Where the Council has the necessary skills and capacity to deliver the programmes in house this will be used, with external contractors procured for other programmes.

### 5. FINANCIAL RESOURCE IMPLICATIONS

5.1 As set out in Section 4 of the report.

### 6. HUMAN RESOURCE IMPLICATIONS

6.1 None at this stage.

### 7. LEGAL IMPLICATIONS

7.1 None at this stage.

### 8. CLIMATE CHANGE

8.1 None at this stage.

### 9. RECOMMENDATION

9.1 That the Executive Committee approves the budget virements to the 2020/21 HRA Capital Programme as set out in Table 1 of the report.

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Background Papers:

Previous Reports/Minutes:

Title of Document:

Ref:

Date:

Date: 04/06/20

Contact Officer: Dan Hannam, Property Services Manager

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**Appendix 1  
HRA CAPITAL PROGRAMME 2020/21**

<b>Scheme/Project</b>	<b>Approved Budget</b>	<b>Proposed Budget</b>		<b>Variance</b>
<b>New Build/Major Refurbishment</b>				
Montrose House	£250,000	£250,000		£0
Desborough & Rothwell HFTF	£1,000,000	£900,000	-	£100,000
<b>Pre-Planned Stock Investment</b>				
Kitchen and Bathroom Renewals	£700,000	£500,000	-	£200,000
Central Heating Renewals	£550,000	£550,000		£0
Electrical System Upgrades	£500,000	£290,000	-	£210,000
Door Renewals	£50,000	£210,000	+	£160,000
Roof Renewals	£400,000	£585,000	+	£185,000
External Wall Insulation	£100,000	£260,000	+	£160,000
<b>Adaptations</b>				
Improving Homes for Disabled People	£500,000	£300,000	-	£200,000
Hidden Homes	£150,000	£150,000		£0
<b>Health, Safety &amp; Compliance</b>				
Communal Door Entry Systems	£100,000	£255,000	+	£155,000
Fire Precautions Health & Safety Compliance	£200,000	£250,000	+	£50,000
<b>Enhancements</b>				
Sheltered Housing – “Sparkle” Project	£50,000	£50,000		£0
<b>Reactive Stock Investment</b>				
Void Repairs & Improvements	£400,000	£400,000		£0
Capital Works Total (Development Budget Omitted)	<b>£4,950,000</b>	<b>£4,950,000</b>		£0



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<b>Report Originator</b>	Shirley Plenderleith Head of Public Services	<i>Fwd Plan Ref No:</i> A19/040	
<b>Wards Affected</b>	All	16 <sup>th</sup> June 2020	
<b>Title</b>	<b>DOG CONTROL PUBLIC SPACE PROTECTION ORDER</b>		

**Portfolio Holder: Cllrs Mark Dearing and Mark Rowley**

**1. PURPOSE OF REPORT**

To ask Members to agree to continue the existing Public Spaces Protection Order (Kettering Borough Council) (Dog Control) for a further 3 years as required by the Anti-social Behaviour, Crime and Policing Act 2014.

**2. INFORMATION**

- 2.1 The existing Public Spaces Protection Order (Kettering Borough Council) (Dog Control) was authorised by the Executive Committee on 16<sup>th</sup> November 2016. The Order, covering the whole Borough, was made on the 25<sup>th</sup> July 2017 and came into force on the 30<sup>th</sup> August 2017. The Order is required to be reviewed at least every three years so the current Order must be reviewed and renewed by 30<sup>th</sup> August 2020 in order to remain in force.
- 2.2 Much of the proactive work of the Council focuses on promoting good dog ownership, and this Order allows the Council to take action in those minority of instances when needed where dogs are not kept under control.
- 2.3 The current Dog Control Public Spaces Protection Order (PSPO) includes the following offences:
- Failure to pick up dog fouling.
  - Requiring dogs to be placed on leads in eight cemeteries and designated areas e.g. Market Place.
  - Failure to put a dog on a lead after being instructed to do so by an authorised officer.
  - Excluding dogs from specifically fenced in or enclosed children’s playgrounds.
  - Restricting dogs walked by one person to no more than 6 dogs on a lead at any one time.

**Exemptions**

Nothing in this order shall apply to a person who:

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- Is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- A person with a disability affecting their mobility, manual dexterity or ability to lift, carry or move everyday objects and who relies upon a dog trained by a prescribed charity for assistance.

2.4 Service requests continue to be received by the Environment and Parking Warden Team for the offences:

Offence	Calendar Year		
	2018	2019	2020 to 31/5
<b>Dog Fouling</b>	126	97	23
<b>Dog on Dog Attack</b>	17	28	9
<b>Dog not on lead in a designated space</b>	6	11	1
<b>Dog not put on lead when instructed</b>	1	3	0
<b>Dogs in an Exclusion Zone</b>	0	1	0

2.5 In addition it is important to note that during the early period within the Covid-19 lockdown from 24<sup>th</sup> March 2020 to the 30<sup>th</sup> April 2020 there was an increase in the number of dog on dog attacks and dogs reported as being out of control compared to a similar period the previous year. The powers available within the Order officers enabled the Council to enforce this appropriately.

### 3. CONSULTATION AND CUSTOMER IMPACT

3.1 In order to review the existing Order a public consultation exercise was undertaken.

The consultation questionnaire was advertised via the Council's website and social media channels with links to a Survey Monkey online survey. Hard copies of the survey were made readily available in the Council's main reception area, all community centres, the library and sports and leisure centres.

The consultation was carried out in accordance with the guidelines in the Anti-social Behaviour, Crime and Policing Act 2014 running from Monday 3<sup>rd</sup> February 2020 to Wednesday 11<sup>th</sup> March 2020. A copy of the questionnaire can be found at Appendix 1.

3.2 The consultation conducted was on the proposal to retain the existing offences as set out in paragraph 2.3 above.

3.3 The consultation had a total of 30 responses. 29 responses were made via the online survey with one hard copy returned.

3.4 The response to the consultation was that 27 of the 30 respondents (90%) were in favour of retaining the Dog Control PSPO with only three (10%) not in favour.

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- 3.5 In relation to suggestions for additional controls the only one made through the consultation was a single request to include that dogs should be kept on leads on footpaths and pavements. However, there have been no reported complaints in relation to this, and it is considered that the current Order provides for any poor behaviour to be addressed appropriately. Other provisions within the Anti-social Behaviour, Crime and Policing Act 2014, such as Community Protection Warning letters or Community Protection Notices, could also be utilised for any specific cases that become apparent.
- 3.6 The additional comments reflect a desire for greater enforcement and tougher fines. With regards to the fines the Council already operate the maximum fixed penalty of £100, reduced to £80 if paid within the first 10 days and are bound by the maximum fine for a prosecution, £1000, as set out in the legislation.
- 3.7 Comments made by those who opposed the Dog Control PSPO were that these were too draconian and a separate comment that the PSPO victimised dog owners.

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

- 4.1 The continuation of these controls enables dog fouling and other forms of irresponsible dog ownership to continue to be better managed and enforced, while allowing responsible dog owners freedom in handling their pet. This has a beneficial impact on the protection and enhancement of the local environment.
- 4.2 The Order will continue to be enforced by the Environment and Parking Wardens as part of their routine duties.

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

- 5.1 In order to continue to be able to enforce the existing offences the current Order must be renewed by 30<sup>th</sup> August 2020. The wording for the document is set out in the draft Order included at Appendix 2. This is the same as the existing Order agreed in 2017.

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

- 6.1 None.

#### **7. RECOMMENDATION**

**The Committee is asked to:**

Agree to continue the existing Public Spaces Protection Order (Kettering Borough Council) (Dog Control) for a further 3 years, renewing from 30<sup>th</sup> August 2020.

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Appendices:

Appendix 1 – Dog PSPO Survey Form

Appendix 2 – Draft Public Spaces Protection Order (Kettering Borough Council)(Dog Control) 2020

Background Papers:

16 November 2016 - Executive Committee Report with Appendices – Dog Control  
Public Space Protection Order

## Appendix 1 – Dog Control PSPO Survey Form

### Dog Control: Public Spaces Protection Order (PSPO) – Review

Kettering Borough Council is currently reviewing its Dog Control Public Spaces Protection Order (PSPO), which currently applies across the borough of Kettering, and would like your views.

An extension is now proposed for a further three years. There are no proposed changes to the present order.



#### What is a PSPO?

Public Space Protection Orders were created by the 2014, Anti-Social Behaviour, Crime and Policing Act to deal with any nuisances or problems in a particular area that affects the local community's quality of life. A PSPO imposes conditions on how an area can be used, with the aim of preventing anti-social behaviour in public spaces.

#### Existing Offences

The current dog control PSPO includes the following offences, which we propose to keep:

1. Failure to pick up after a dog
2. Requiring dogs to be placed on leads in eight cemeteries (Burton Latimer, Broughton, Kettering London Road, Pytchley, Rothwell, Kettering Rothwell Road, Cransley and Desborough) and in the following designated areas (Manor House Gardens, Garden of Rest, Parish Church Yard and Jubilee Garden, Market Place and Municipal Gardens).
3. Failure to put a dog on a lead after being instructed to do so by an authorised officer.
4. Excluding dogs from specifically fenced in or enclosed children's playgrounds
5. Restricting dogs walked by one person to no more than 6 dogs on a lead at any one time.

**Kettering**  
Borough Council

### Kettering Dog Control: Public Spaces Protection Order – Review Questionnaire

We want your views! Your feedback on extending the duration of the PSPO is very important to us. If you wish to take part in this process, please answer the questions below and return your replies to Community Safety, Kettering Borough Council, Bowling Green Road, Kettering NN15 7QX.  
You can also fill in this questionnaire online at: [www.kettering.gov.uk/dogpspo](http://www.kettering.gov.uk/dogpspo)

**Q1 Do you agree with the dog control Public Spaces Protection Order covering Kettering Borough being extended for a further three years?**

Yes

No

**Q2 Is there anything you would like to see included in the dog control PSPO that you feel is detrimental to the quality of life in Kettering Borough?**



**Q3 Do you have any additional comments?**



Please complete this questionnaire either online or in paper format and return by  
Wednesday 11th March 2020.



**The Anti-Social Behaviour Crime and Policing Act 2014**

**The Public Spaces Protection Order (Kettering Borough Council) (Dog Control) Order 2020**

Kettering Borough Council (in this order called “the Authority”) hereby make the following order this        day of        2020:

This Order comes into force on 30 August 2020 for a period of 3 years

- 1) Unless otherwise provided this order applies to all land in the administrative area of the Authority to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of any express or implied permission
- 2) A person who fails to comply with any obligation imposed by this order is guilty of an offence by virtue of section 67(1) of the Anti-Social Behaviour Crime and Policing Act 2014 and liable to a fine on summary conviction not exceeding level 3 on the standard scale.
- 3) A person in charge of a dog on land to which this order applies must comply with a direction given to him by an authorised officer of the Authority to put and keep the dog on a lead (not more than 1.5m in length) unless
  - (a) he has reasonable excuse for failing to do so; or
  - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.
- 4) If a dog defecates at any time on land to which this order applies a person who is in charge of the dog at the time must remove the faeces from the land forthwith unless
  - (a) he has reasonable excuse for failing to do so; or
  - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so (all areas of borough).

- 5) A person in charge of a dog on land detailed in the Schedule must keep the dog on a lead (not more 1.5m in length) unless
- (a) he has reasonable excuse for failing to do so; or
  - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.
- 6) A person in charge of a dog must not take it into or keep it within a fenced/enclosed children's play area and signed at its entrance(s) as a "dog exclusion area" (whether the sign uses those particular words or words and/or symbols having like effect) which is designated and marked for children's play unless:
- (a) he has reasonable excuse for doing so; or
  - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.
- 7) A person in charge of a dog must not take more than 6 dogs onto any land at any time unless
- (a) he has reasonable excuse for doing so; or
  - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.
- 8) **Exemptions**

Nothing in this order shall apply to a person who:

- (a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
  - (c) a person with a disability affecting their mobility, manual dexterity or ability to lift, carry or move everyday objects and who relies upon a dog trained by a prescribed charity for assistance.
- 9) **For the purpose of this order:**
- A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
  - Placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be sufficient removal from the land;



- “an authorised officer of the Authority” means an employee, partnership agency or contractor of Kettering Borough Council who is authorised in writing by Kettering Borough Council for the purposes of giving directions under the Order.

**THE COMMON SEAL of  
KETTERING BOROUGH COUNCIL**

was hereunto affixed the day and year first

above written in the presence of

.....

The Schedule

Cemeteries

Burton Latimer  
Broughton  
Kettering London Road  
Pytchley  
Rothwell  
Kettering Rothwell Road  
Cransley  
Desborough

Gardens

Manor Gardens  
Garden of Rest  
Parish Church Yard  
Market Place  
Municipal Gardens

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<b>Committee</b>	<b>EXECUTIVE</b>	Item 13	Page 1
<b>Report Originator</b>	Bhupinder Gill Chief Legal Officer	<i>Fwd Plan Ref No:</i> A20/002	
<b>Wards Affected</b>	All	16 <sup>th</sup> June 2020	
<b>Title</b>	<b>MEMBERS' ALLOWANCES</b>		

**Portfolio Holder: Cllr Russell Roberts**

**1. PURPOSE OF REPORT**

For the Executive to consider recommending to Council at its meeting in September 2020, the continuation of the current Members' Allowances Scheme or seek approval for the appointment of an Independent Remuneration Panel to report back on new scheme.

**2. INFORMATION**

- 2.1 The current scheme of members' allowances was approved on 25<sup>th</sup> April 2018, following the receipt of recommendations from the Independent Remuneration Panel on Members' Allowances (IRP), which met to consider a new scheme earlier that year.
- 2.2 The report of the IRP was considered by Council on 25<sup>th</sup> April 2018. Council resolved to keep the existing scheme and that an annual index inflator of 0% be applied (i.e. no annual increases to the allowances). The Council resolved to apply the index until at least May 2020 or until a single tier of local government was introduced in Northamptonshire, whichever was earlier. It has been applied on one occasion. Under the Local Authorities (Members Allowances) (England) Regulations 2003 ("the 2003 Regulations") an annual index can be applied for a maximum of four years.
- 2.3 In the interim period since the decision the proposed vesting day for the new North Northamptonshire Council was extended by one year until 1<sup>st</sup> April 2021. Members now need to decide whether they wish to continue the with application of the existing index or if they wish to apply an alternative.
- 2.4 If members wish to apply an alternative index, that would amount to an amendment of the existing scheme. Under the 2003 Regulations a scheme of members allowances can only be revised following receipt of a report from an IRP.
- 2.5 A copy of the current Members' Allowances Scheme is attached at Appendix 1 for information.

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

3.1 The Council is not required to consult on the Executive's recommendation though once revised, notices in local newspapers are required to be published. Should the Council propose to change its Scheme of Members' Allowances consultation must be carried out in accordance with the 2003 Regulations (as amended). Details of such consultation would be set out in subsequent reports.

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

#### **4.1 Financial**

- The budget for 2020/21 for Members allowances is £291,829.
- If the existing index were to be applied there would be no change to the overall cost of Members' Allowances
- If members were minded to amend the scheme, any costs of appointing an IRP would need to be funded from reserves. Any financial implications arising from a proposed new scheme would be addressed in a subsequent report.

#### **4.2 Constitutional**

The Council's Constitution requires that proposed changes to the Constitution (of which the Scheme of Members' Allowances is part) are adopted by Council.

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

#### **5.1 Legal**

The legal implications arising from this report are contained within the body of the report. When the current scheme of allowances was adopted, the Council determined to apply an annual index inflator of zero percent. The council can continue to apply the same index for another 3 years (subject to local government organisation) or if it wishes to adopt a new index, an IRP must be appointed to review and report on a new scheme.

#### **5.2 Equality**

The terms of reference of the IRP in 2018 included consideration of barriers to becoming a councillor for different sections of the community and accordingly is in line with the Council's policies in relation to equalities.

## BOROUGH OF KETTERING

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### 6. RECOMMENDATION

The Executive recommend to Council at its meeting on 9<sup>th</sup> September 2020:-

1. Continuing with the application of the existing index inflator to the Scheme of Members' Allowances until 31<sup>st</sup> March 2021 or until the vesting day for NCC, whichever is the later, OR
2. That Council appoint an IRP to review members allowances and report back to with proposals for a new scheme.

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#### Background Papers:

Title of Document: Independent Review Panel  
Briefing Pack  
Date: October 2017

#### Previous Reports/Minutes:

Standards  
Advisory Committee  
Date: 9.10.17

R & D Committee  
Date: 4.4.18

Executive Committee  
Date: 18.4.18

Council  
Date 25.4.18

Contact Officer: Anne Ireson  
01536 534398

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**1. The Scheme**

This scheme is made under the Council's powers conferred by the Local Authorities (Members' Allowances) Regulations 1991 (as amended) and the Local Authorities (Members' Allowances) (England) Regulations 2001. It has effect from 1st May 2012 until further notice.

**2. Basic Allowance**

A Basic Allowance shall be paid each financial year to each Councillor in twelve instalments. The amount of the allowance to be as shown in the schedule to this scheme.

**3. Special Responsibility Allowance**

A Special Responsibility Allowance shall be paid each financial year in twelve instalments to the postholders identified in the schedule to the scheme, provided that no one individual receives more than one allowance.

The amount of each allowance to be as shown in the schedule to this scheme.

**4. Attendance Allowance**

No attendance allowances are payable under the scheme.

**5. Childcare and Dependent Carers' Allowance**

Members may claim for the reimbursement of costs of arranging for the care of their children or dependants as are necessarily incurred in the performance of their duties as a councillor as defined in the Regulations.

**6. Election**

Members may, by notice in writing to the Head of Democratic and Legal Services, elect to forego any part of their entitlement to an allowance under this scheme.

**7. Pro-rata Payments**

Where a Member ceases to be or becomes a Councillor part-way through the financial year or the scheme is amended, the level of

basic and special responsibility allowance shall be payable pro-rata for the period of the year served. Where a Member assumes or relinquishes part-way through a year an office attracting special responsibility allowance, that payment shall also be pro-rata to the period of service.

**8. Claims**

A claim form will be provided to all Councillors on becoming a member of the authority. A Member who has elected to forgo any part of their entitlement to an allowance under this scheme may at any time revoke that election by giving notice in writing to the Head of Democratic and Legal Services. The revocation shall take effect and the allowances foregone shall become payable from the date of its receipt.

**9. Annual Increase**

The amounts paid under the scheme shall be increased on 1st April each year by an equivalent percentage amount as that paid to officers on spinal column points 35-40.

**10. Pensions**

Councillors who are eligible to join the scheme are entitled to pensions in respect of their basic and special responsibility allowances in accordance with a scheme made under Section 7 of the Superannuation Act 1972.



**Members' Allowances**

**Scheme Schedule**

*with effect from 1<sup>st</sup> April 2019*

**Amounts of Allowances (2018-19)**

<b>Basic Allowance (per annum)</b>	5,394
<b>Special Responsibility Allowance (per annum)</b>	
Leaders' allowances	
Leader of the Council	13,397
Deputy Leader of the Council	8,469
Executive Member for Finance	7,245
Leader of the Opposition	6,699
Deputy Leader of the Opposition	1,468
Executive Members (excluding the Leader and Deputy Leader of the Council and the Executive Member for Finance)	5,447
Chair of Planning Committee	5,335
Chair of Licensing Committee	4,001
Chairs of Scrutiny Committees, Planning Policy Committee, and Standards Committee	2,667
Standards Committee members (independent and town and parish representatives)	653
Childcare and Dependent Carers' Allowance	Cost
Mileage allowances	45p per mile up to 8,500 miles, 12p per mile thereafter
Mayor's Allowance	7,656
Deputy Mayor's Allowance	1,453

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