

To all Members

Direct Line: (01536) 535661
Email: anneireson@kettering.gov.uk
Our Ref: AI
Your Ref:
Date: 15th September 2020

Dear Councillor

You are summoned to attend a meeting of **KETTERING BOROUGH COUNCIL** to be held **virtually** on Wednesday 23rd September 2020 at **6.00pm**.

This virtual meeting of Kettering Borough Council will be held using Zoom and live-streamed via YouTube. Members of the Council will be sent joining instructions for the meeting by email.

Yours faithfully



G. Soulsby
Managing Director

Instructions for viewing the meeting

To watch the live meeting on YouTube, please follow the instructions below:-

1. Click or visit the following link www.kettering.gov.uk/youtube
2. Select the following video (located at the top of the list):

“Council 23/09/2020”

Working with and on behalf of local people

A G E N D A

1. Apologies
2. The minutes of the Annual Meeting of the Council held on 9th September 2020 to be approved as a correct record and signed by the Mayor
3. Declarations of Interest
 - (a) Personal
 - (b) Prejudicial
4. To receive any announcements from the Mayor and/or the Leader of the Council.
5. Report of the Managing Director.
6. The Mayor to ask members of the public present if they want to speak on any item on the agenda.

REPORTS:

7. Capital Programme Amendments:-
 - a) Gallery, Library and Museum (GLaM)
 - b) New Build Schemes at Scott Road and Albert Street
8. Local Development Scheme
9. Kettering Community Governance Order- Creation of a Town Council for Kettering and Associated Changes
10. Members' Allowances
11. Seats on Streets - Pavement Licensing

MOTIONS, QUESTIONS & MATTERS OF URGENCY:

12. To consider motions received in accordance with Council Procedure Rule 16 as follows:- **None**
13. To receive questions from members.
14. Any matters of urgency that the Mayor decides should be considered.

PUBLIC PARTICIPATION IN REMOTE MEETINGS OF THE COUNCIL

When registering to speak speakers must elect one of the following three options:

1. Provide a written speech which will be read at the meeting by the Mayor or an officer of the council, (such speech must be 3 minutes or less when read at an audible pace)
2. Submit an audio recording of the speech of 3 minutes or less
3. Elect to speak live at the meeting. Speakers must have sufficient 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.

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.

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 Mayor can complete the speech on their behalf.

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.

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 non-admittance to the meeting.

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BOROUGH OF KETTERING

At the Annual Meeting of the Council of
the Borough of Kettering held virtually
via Zoom on 9th September 2020

Present:

Councillor	Keli Watts (Mayor)	Councillor	David Howes
"	James Burton (Deputy Mayor)	"	Ian Jelley
"	Linda Adams	"	Anne Lee
"	Duncan Bain	"	Paul Marks
"	Michael Brown	"	Clark Mitchell
"	Lloyd Bunday	"	Cliff Moreton
"	John Currall	"	Jan O'Hara
"	Ash Davies	"	Russell Roberts
"	Mark Dearing	"	Mark Rowley
"	Andrew Dutton	"	Mick Scrimshaw
"	Maggie Don	"	Shirley Stanton
"	Scott Edwards	"	Margaret Talbot
"	Jim French	"	Michael Tebbutt
"	Ruth Groome	"	Lesley Thurland
"	Jenny Henson	"	Greg Titcombe
"	Philip Hollobone	"	Jonathan West

20.C.01 APOLOGIES

Apologies for absence were received from Councillors Cedwien Brown and James Hakewill.

20.C.02 MINUTES

RESOLVED that the minutes of the meeting held on 26th February 2020 be approved as a correct record and signed by the Mayor.

20.C.03 DECLARATIONS OF INTEREST

None.

20.C.04 VOTE OF THANKS

The Mayor paid tribute to Councillor James Burton and Mrs Lorraine Burton for their service to the Borough as Deputy Mayor and Deputy Mayoress.

Councillor Margaret Talbot proposed a vote of thanks to the Mayor for her year of office. The Vote of Thanks was seconded by Councillor Anne Lee.

The Mayor responded. On behalf of councillors she thanked the Borough's key workers for their work over the last few months. The Mayor also thanked Professor Sarah Gilbert of Oxford University, a former pupil of Park Road School and Kettering High School, for her work on finding a vaccine for Covid-19.

The Mayor thanked officers of the Council for their work during at this difficult time and paid tribute to the floral displays in the town which had been appreciated by residents. She also thanked the Mayor's Cadet, the Mayor's Chaplain, her daughters and friends for their help during her year of office.

(In accordance with a previously issued protocol and guidance for virtual meetings of the Council, Councillor Michael Brown was removed from the meeting at 6.19 pm)

20.C.05 ELECTION OF MAYOR

Councillor Lesley Thurland proposed, Councillor Ruth Groome seconded and it was

RESOLVED that Councillor James Burton be elected Mayor of the Borough of Kettering for the period 9th September 2020 to 31st March 2021.

Councillor James Burton read and signed the Declaration of Acceptance of Office before the Managing Director.

The Mayor expressed thanks for his election and announced that his Mayoral Charity would be the Twinkling Star Appeal at Kettering General Hospital.

20.C.06 APPOINTMENT OF MAYORESS

The Mayor announced the appointment of Mrs Lorraine Burton as Mayoress.

20.C.07 APPOINTMENT OF DEPUTY MAYOR

Councillor Mike Tebbutt proposed, Councillor Mick Scrimshaw seconded and it was

RESOLVED that Councillor Duncan Bain be appointed Deputy Mayor of the Borough of Kettering for the period 9th September 2020 to 31st March 2021.

Councillor Bain read and signed the Declaration of Acceptance of Office, indicating via Zoom that it would be returned to the Municipal Offices for counter-signature by the Managing Director.

20.C.08 **APPOINTMENT OF DEPUTY MAYORESS**

The Mayor announced the appointment of Mrs Carol Bain as Deputy Mayoress.

20.C.09 **APPOINTMENT OF MAYOR'S CHAPLAIN**

The Mayor announced the appointment of Reverend David Walsh as Mayor's Chaplain

20.C.10 **MINUTE'S SILENCE**

The Mayor paid tribute to Hon Alderman Terry Freer, the Borough of Kettering's longest serving councillor, who had died on 25th May 2020. Terry Freer had first been elected to the Council in 1976 and served for a period of 40 years, retiring in February 2016.

On behalf of the Council, the Mayor extended heartfelt sympathy to the family, friends and colleagues of Gavin Ferries, a member of staff in the Development Services team, who had passed away in June 2020.

The Mayor also asked Council to remember David Talbot, who had passed away of Covid-19 on 21st July. David Talbot had served a year in civic office as Mayor's Consort to Councillor Margaret Talbot in 2011/12.

The Mayor also asked councillors and those present via Zoom to remember all the people who had died as a result of Covid-19 in the Borough since March, and extended the sympathy of Council to the family and friends of those who had lost their lives. He also paid tribute to the staff of Kettering General Hospital for their dedication in caring for Covid-19 patients.

A minute's silence was then held.

20.C.11 **PROCEDURE AND PROTOCOL FOR VIRTUAL MEETINGS OF THE COUNCIL**

A report was submitted which sought adoption of temporary protocols to enable Council meetings to be held remotely, so that they could take place and properly function during the Covid-19 pandemic and any subsequent restrictions on meetings or gatherings.

Councillor Rowley proposed and Councillor Thurland seconded, and it was

RESOLVED that:-

- (i) it be noted that a notice providing details of proposed revised protocols and procedures for Members and the public to access remote meetings had been posted on the Council's website;
- (ii) the procedures and protocols set out in Appendix 1, 2 and 3 of the report, and the use of video-conferencing software, to enable full Council meetings to be held remotely for the duration of the period set out in the Coronavirus Act 2020 be approved; and
- (iii) the proposed temporary amendments to meeting procedures, as set out in Appendix 2 of the report, to enable the provision of remote Council meetings, be approved.

20.C.12 **MAYOR'S ANNOUNCEMENTS**

The Mayor announced that the next meeting of Council would take place at 6.00 pm on Wednesday, 23rd September 2020.

20.C.13 **LEADER'S ANNOUNCEMENTS**

The Leader of the Council congratulated Councillor Burton on his election as Mayor.

20.C.14 REPORT OF THE MANAGING DIRECTOR

The Managing Director extended congratulations to Councillor Burton on his election as Mayor.

He also thanked staff of Kettering Borough Council for their work over the last six months in difficult circumstances. He also thanked members of the Council for their support.

20.C.15 LEADER OF THE OPPOSITION

Councillor Maggie Don announced that Councillor Mick Scrimshaw would continue as Leader of the Opposition.

**20.C.16 ALLOCATION OF SEATS TO COMMITTEES
PROGRAMME OF MEETINGS 1ST SEPTEMBER 2020 TO 31ST
MARCH 2021
APPOINTMENT OF MEMBERS TO COMMITTEES, SUB-
COMMITTEES AND FORUMS
APPOINTMENT OF COUNCILLORS TO SERVE ON OUTSIDE
BODIES**

RESOLVED that:-

- (i) members be appointed to committees, sub-committees and forums as notified, including chairs and deputy chairs where indicated (attached as Item 11), and that any subsequent amendments be approved by the Head of Democratic and Legal Services under delegated powers.
- (ii) that the programme of meetings be approved (attached as Item 12); and
- (iii) that the Council's appointments to Outside Bodies be approved (attached as Item 13).

(The meeting started at 6.00 pm and ended at 6.50 pm)

Signed
The Mayor

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Committee	COUNCIL	Item 7	Page 1
Report Originator	Mark Dickenson Head of Resources	Work Programme N/A	
Wards Affected	All	23 rd September 2020	
Title	CAPITAL PROGRAMME AMENDMENT – GLaM PROJECT		

Portfolio Holder: Cllr L Bunday

1. PURPOSE OF REPORT

In accordance with the Council’s Constitution, this report seeks Council’s approval for a change in the capital budget for the GLaM Project (Alfred East Art **G**allery, **L**ibrary and Manor House **M**useum Project).

2. INFORMATION

- 2.1 The vision for Kettering Town Centre, as set out within the Town Centre Delivery Plan 2018 – 2025, is for it to be a vibrant place at the heart of the community that is characterful, distinctive and fun.
- 2.2 Kettering Town Centre has a cluster of heritage assets located within the town centre – they consist of the Alfred East Art **G**allery, **L**ibrary and Manor House **M**useum (GLaM).
- 2.3 The three buildings within the GLaM project are all Grade II listed. Kettering Borough Council and Northamptonshire County Council and other stakeholders have dedicated resources to seek opportunities to have a culture led regeneration of this area of the town.
- 2.4 Whilst the facilities are valued and well used, there are key physical constraints which prevent them from elevating and transforming into a visitor destination. The aim of the GLaM project is to improve these assets and diversify their uses in order to change the way communities access and engage with culture and creative industries, unlock economic growth through skills development, job creation and boosting the visitor economy.
- 2.5 The projected cost of the GLaM scheme is £3.940m and through the South East Midlands Local Enterprise Partnership (SEMLEP) funding of £3m has been allocated for this project from the Government’s Getting Building Fund (GBF).
- 2.6 To comply with financial regulations and the Council’s Constitution, any change to the capital programme greater than £250,000 needs to be recommended to Full Council for approval. This was reported to the Executive meeting on 15th September 2020. The changes to the 2020/21 Capital programme for which Council approval is required are summarised in the Table 1.

BOROUGH OF KETTERING

Committee	COUNCIL	Item 7	Page 2
-----------	----------------	-----------	--------

Table 1 – Budget Changes	
GLaM	£000
Total Scheme Cost	3,940
Budgets already in the Capital Programme	
Town Centre Improvements and Regeneration	100
GLaM	100
Changes to Capital Programme	3,740

Additional Financing	£000
Getting Building Fund	3,000
KBC Economic Development Reserve	440
NCC Contribution	300
Changes to Capital Financing	3,740

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

3. CONSULTATION AND CUSTOMER IMPACT

- 3.1 The Project aligns with the implementation of the Kettering Town Centre Delivery Plan 2018 – 2025. This plan was developed following feedback from the Kettering Town Centre Conference 2017. The Project was also highlighted within the subsequent Town Centre Conference which took place in February 2020, and formed part of the planned future timeline for 2020 and beyond.
- 3.2 As we move to the next phase of the project with the security of capital funding, the project team will develop a community engagement plan, aligned, where appropriately, to the HSHAZ activity.

4. POLICY AND RESOURCE IMPLICATIONS

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

BOROUGH OF KETTERING

Committee	COUNCIL	Item 7	Page 3
-----------	----------------	-----------	--------

5. LEGAL AND EQUALITY IMPLICATIONS

- 5.1 Both the Art Gallery and Museum are assets owned and managed by Kettering Borough Council. The Library is owned and managed by Northamptonshire County Council and categorised as a statutory facility. All three assets are Grade II listed buildings and sit within the Kettering Town Centre's conservation area.

6. CLIMATE CHANGE IMPLICATIONS

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

7. RECOMMENDATION

- 7.1 That the changes to the Council's Capital Programme as outlined in Table 1 be approved.

Previous Reports/Minutes:

Executive 14/09/2020 - A20/017

Alfred East Art Gallery, Library and Manor House Museum – GLaM https://www.kettering.gov.uk/meetings/meeting/1858/executive_committee

Contact Officer R Mathieson

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Committee	COUNCIL	Item 7	Page 1
Report Originator	Mark Dickenson Head of Resources	Work Programme -	
Wards Affected	All	23 rd September 2020	
Title	CAPITAL PROGRAMME AMENDMENT – NEW BUILD SCHEMES AT SCOTT ROAD AND ALBERT STREET		

1. PURPOSE OF REPORT

In accordance with the Council's Constitution, this report seeks Council's approval for a change in the capital budget for the Scott Road and Albert Street new build schemes.

2. INFORMATION

- 2.1 One of the priorities of Kettering Borough Council's Housing Strategy for 2015 – 2020 was increased housing supply across all forms of tenure. This included the construction of new homes for rent.
- 2.2 Two brownfield sites, both vacant garage plots, were identified as suitable for housing development.
- 2.3 A scheme was drawn up for Scott Road comprising 22 housing units ranging from one to four bedrooms. Provision of £2.785m was made in the 2020/21 Housing capital programme. A two stage open tender process was carried out with the assistance of Gleeds Cost Management. The pre-tender questionnaire stage reduced the initial 10 tenderers to a short list of 4 who were invited to submit tenders.
- 2.4 Tenders were assessed on both quality and price. The selected tender would require an additional provision of £0.398m mostly to cover contingencies based on a risk assessment of the scheme.
- 2.5 The Albert Street scheme will provide 6 one-bedroom bungalows. Provision of £0.786m was made in the Council's Housing capital programme for 2020/21. A two stage open tender process was undertaken, assisted by Gleeds Cost Management. The first stage reduced the number of tenderers from nine to a shortlist of six who were invited to tender.
- 2.6 Tenders were assessed on both price and quality. Following a risk assessment of the scheme the selected tender would require an additional provision of £0.253m.

BOROUGH OF KETTERING

Committee	COUNCIL	Item 7	Page 2
-----------	----------------	-----------	--------

- 2.7 To comply with financial regulations and the Council's Constitution, any change to the capital programme greater than £250,000 needs to be recommended to Full Council for approval. This was reported to the Executive meeting on 15th September 2020. The changes to the 2020/21 Capital programme for which Council approval is required are summarised in Table 1.

Budget	Scott Road	Albert Street
	£000	£000
Budget 2020/21	786	2,785
Additional Budget Required	253	398
Proposed Budget 2020/21	1,039	3,183
Financing		
Borrowing	727	2,228
141 Receipts	312	955
Total Financing	1,039	3,183

3. CONSULTATION AND CUSTOMER IMPACT

- 3.1 These two projects will provide 28 new affordable rented homes, which will be allocated using a local lettings policy to households registered on the Council's choice-based lettings system, Keyways.
- 3.2 The homes will contribute towards meeting identified housing need in the Borough and will also contribute to overall housing completions. Both schemes make use of redundant, brownfield land which is currently unsightly and has the potential to attract crime and anti-social behaviour.
- 3.3 Consultation was carried out with local residents as part of the planning process for each site and community engagement days were held during that time.

4. POLICY AND RESOURCE IMPLICATIONS

- 4.1 The HRA Capital Programme is based on the strategic priorities set out in the Council's Housing Strategy 2015/20.
- Increasing housing supply across all tenures
 - Ensuring decent, safe and healthy homes
 - Helping people to live independently

BOROUGH OF KETTERING

Committee	COUNCIL	Item 7	Page 3
-----------	----------------	-----------	--------

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

5. LEGAL AND EQUALITY IMPLICATIONS

5.1 Full planning consent has been obtained for the new build projects at Scott Road and Albert Street.

6. CLIMATE CHANGE IMPLICATIONS

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

7. RECOMMENDATION

7.1 That the changes to the Council's Capital Programme as outlined in Table 1 be approved.

Previous Reports/Minutes:

Previous Minutes/Reports:	Executive
Ref:	Minute No. 17.EX.25
Date:	20th September 2017
	Executive
	Minute No. 17.EX.51
	6th December 2017
	Council
	Minute No. 17.C.55
	13th December 2017
	Executive
	Minute No. 18.EX.38
	17th October 2018
	Executive
	Minute No. 19.EX.51
	15th January 2020

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Committee	COUNCIL	Item 8	Page 1 of 4
Report Originator	James Wilson Head of Development Services	Fwd Plan Ref No:	
Wards Affected	All	23th September 2020	
Title	LOCAL DEVELOPMENT SCHEME		

1. PURPOSE OF REPORT

To adopt a revised Local Development Scheme.

2. INFORMATION

2.1 A Local Development Scheme (LDS) is a project plan setting out the timetable for the preparation of documents that make up the Council’s contribution towards the North Northamptonshire Development Plan. The Development Plan for Kettering Borough is made up of the North Northamptonshire Joint Core Strategy (adopted July 2016); saved policies from the Local Plan for Kettering Borough (adopted January 1995); the Kettering Town Centre Area Action Plan (adopted July 2011); the Northamptonshire Minerals and Waste Local Plan Update (adopted July 2017); the Broughton Neighbourhood Plan; and once adopted will include the emerging Site Specific Part 2 Local Plan, and the Gypsy and Traveller Site Allocation Policy. Further Neighbourhood Plans, prepared by local Neighbourhood Groups, will also be included within the Development Plan when made (adopted).

2.2 The Joint Core Strategy is the strategic Part 1 Local Plan for North Northamptonshire, providing the big picture for development across the wider area. The Part 2 Local Plan is being prepared by Kettering Borough Council, and will provide locally specific policies and make further land allocations to complement those agreed through the Joint Core Strategy.

2.3 Section 15(1) of the 2004 Planning and Compulsory Purchase Act requires that the *“local planning authority must prepare and maintain a scheme to be known as their local development scheme”*. Legislation simply requires that the LDS is brought into effect and published by the local planning authority. To achieve this two actions need to be carried out:

- i. the Council should resolve that the LDS is to have effect; and
- ii. it should specify the date from which the LDS is to have effect.

2.4 The Council’s constitution sets out that it is the responsibility of the Planning Policy Committee to consider and recommend to Full Council for approval the Plans and alterations which together comprise the Development Plan. Also, that it is the responsibility of Full Council to consider for approval the Plans and

BOROUGH OF KETTERING

Committee	COUNCIL	Item 8	Page 2 of 4
-----------	----------------	-----------	----------------

alterations which together comprise the Local Development Framework (now termed the Local Plan).

- 2.5 Members of the Planning Policy Committee met on 1st September 2020 and agreed a revised Draft Local Development Scheme to be recommended to Full Council for adoption. This report sets out the updated draft LDS, with a recommendation that it be adopted by Full Council.

Local Development Scheme

- 2.6 The purpose of the LDS is to provide a timetable against which the documents making up the Council's Development Plan can be viewed, allowing any parties interested in taking part in the preparation of the Plan to be notified of the programme and to be involved in its development. It is recognised that the LDS runs beyond the remaining period of Kettering Borough Council, which will cease to exist when the new North Northamptonshire Unitary Council comes into effect on 1st April 2021. However, a revised LDS is expected to be prepared for consideration under the new administration. Until such time, it is proposed that this LDS form the basis for development of the new authority's LDS.
- 2.7 The LDS was last adopted on 25th September 2019. It is considered important to ensure the Council is complying with the necessary tests, by agreeing and publishing a revised LDS for public consumption.

Site Specific Part 2 Local Plan (SSP2)

- 2.8 The LDS sets out the remaining programme for producing the Site Specific Part 2 Local Plan as follows:
- Examination – starts 8th October 2020
 - Proposed Modifications consultation – November/December 2020
 - Receipt of Inspector's Report – January 2021
 - Adoption – March 2021

Gypsy and Traveller Site Allocation Policy

- 2.9 The Council published a revised Gypsy and Traveller Accommodation Assessment (GTAA) in March 2019 and is working towards a series of initiatives to deliver against the identified need. One of the options will include the identification and allocation of sites through a standalone local plan document. Progressing a policy to identify and allocate sufficient land or provide other solutions to meet identified need, and in a timely manner, will be important in meeting this requirement and is expected will form a part of the Inspector's considerations through next month's Examination of the SSP2. The Gypsy and Traveller Site Allocation Policy programme is as follows:
- Draft Plan for consultation – January-March 2021
 - Publication Plan for consultation – April-May 2021

Committee	COUNCIL	Item 8	Page 3 of 4
------------------	----------------	-----------	----------------

- Submission to Secretary of State – July 2021
- Examination – October 2021
- Adoption – April 2022

Rothwell and Desborough Urban Extension Area Action Plan (AAP)

2.10 No clear timetable for the progression of this historic policy document was set out in the previous LDS, its Submission to the Secretary of State having been put on hold. Since then, clear progress has been made with applications at Desborough and Rothwell, both having been granted outline planning permission. Also, in both cases the sites have made progress towards delivery, and in the case of Rothwell, developers are now on-site installing infrastructure and constructing the first properties. The commitment through the previous LDS was to retain the AAP and review the necessity for it with commencement of the urban extensions or with Submission of the SSP2. It is proposed to revoke this AAP given the advanced position of both schemes and the SSP2.

Kettering Town Centre Area Action Plan (AAP)

2.11 With changes in shopping patterns, the impact of the Covid-19 pandemic, and pressures brought on Kettering town centre by the Rushden Lakes out of town shopping facility, it is intended to review the planning policies contained within the Kettering Town Centre AAP. The programme for this AAP is as follows:

- Draft Plan for consultation – January-March 2021
- Publication Plan for consultation – September 2021
- Submission to Secretary of State – January 2022
- Examination – April 2022
- Adoption – December 2022

2.12 Once the Site Specific Part 2 Local Plan Examination is complete, it is proposed to accelerate work on the Gypsy and Traveller Site Allocation Policy, and shortly after commence a review of the Kettering Town Centre Area Action Plan. This should mean that more resources can be directed towards preparing both Development Plan Documents as a matter of urgency. The LDS also includes additional plan-making documents, such as the Policies Map.

2.13 A draft copy of the LDS agreed by Members of the Planning Policy Committee is provided at **Appendix 1**. The LDS is recommended for adoption, to have effect from 23rd September 2020.

3. CONSULTATION AND CUSTOMER IMPACT

3.1 No consultation is necessary in agreeing an LDS.

BOROUGH OF KETTERING

Committee	COUNCIL	Item 8	Page 4 of 4
-----------	----------------	-----------	----------------

4. POLICY AND RESOURCE IMPLICATIONS

- 4.1 The LDS is required under Section 15(1) of the Planning and Compulsory Purchase Act 2004. Formulating the timetables within the LDS, keeping them up-to-date, and making it publically available on the Council's website will ensure that the Council complies with the necessary tests in preparing a Local Plan for Examination.
- 4.2 There are no resource implications as a result of this report.

5. LEGAL AND EQUALITY IMPLICATIONS

- 5.1 The LDS, once adopted, will ensure the Council meets the requirements of Section 15(1) of the Planning and Compulsory Purchase Act 2004 to prepare and maintain a Local Development Scheme. The LDS supports equality standards setting out the timetables for the preparation of Local Plan Documents for all interested parties to view.

6. CLIMATE CHANGE IMPLICATIONS

- 6.1 The planning documents referenced within the LDS will be subject to sustainability appraisal throughout their evolution, inclusive of reviewing climate change implications.

7. RECOMMENDATION

That Members adopt the draft LDS as attached at Appendix 1 and agree for it to have effect from 23rd September 2020.

Previous Reports/Minutes:

Ref: Planning Policy Committee – Local Development Scheme
Date: 1 September 2020

Ref: Council – Local Development Scheme (19.C.48)
Date: 25 September 2019

Contact Officer: Simon Richardson – Development Manager

Kettering Borough Council

Draft Local Development Scheme (LDS) 2020 - 2023

*Draft Version – recommended by the
Planning Policy Committee for adoption by
Full Council
23 September 2020*

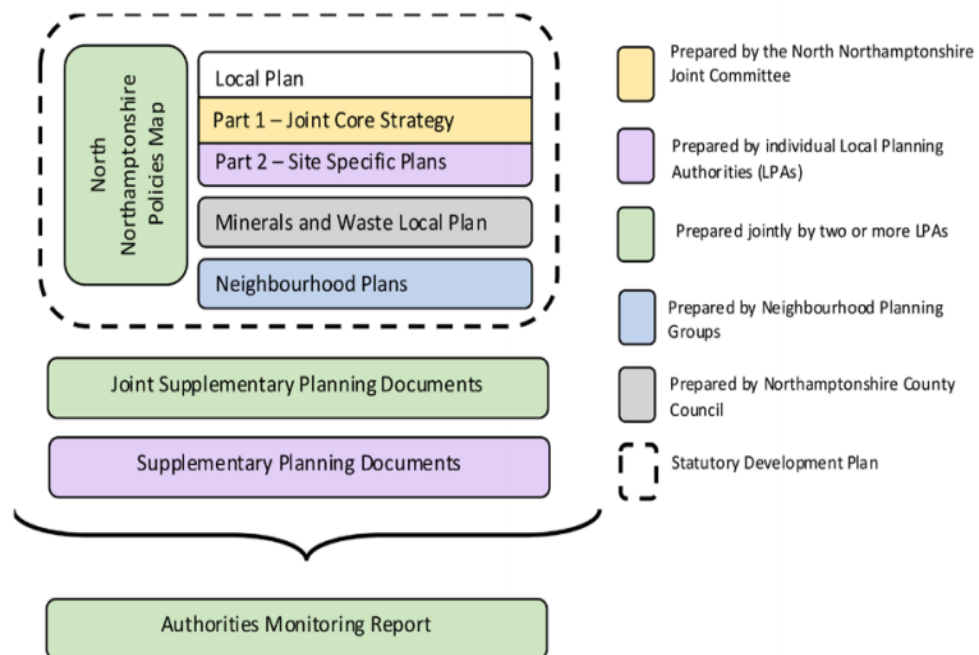
Kettering
Borough Council

Contents

	Page No
1: Introduction	2
2: Kettering Borough Development Framework- Current Position	3
Development Plan Documents	3
Other Development Framework Documents	3
Related Strategies	3
3: Development Plan Documents – Future Position	4
North Northamptonshire Joint Core Strategy	4
Kettering Borough Site Specific Part 2 Local Plan	4
Gypsy and Traveller Site Allocation Policy	4
Rothwell and Desborough Urban Extension Area Action Plan (AAP)	4
Kettering Town Centre Area Action Plan (AAP)	5
Neighbourhood Plans	5
4: Other Documents	7
Statement of Community Involvement	7
Community Infrastructure Levy and Section 106 Agreements	7
Supplementary Planning Documents	7
North Northamptonshire Authorities Monitoring Report	8
Strategic Environmental Assessment and Sustainability Appraisal	8
5: Delivery and Implementation	9
Joint Working	9
Resources	9
Risk Assessment	9
Monitoring and Review	10
Appendix 1: Summary Schedule of Proposed Development Plan Documents	11
Appendix 2: Site Specific Part 2 Local Plan: Document details, timetable and arrangements for production	12
Appendix 3: Gypsy and Traveller Site Allocation Policy: Document details, timetable and arrangements for production	13
Appendix 4: Kettering Borough Proposals Maps: Document details, timetable and arrangements for production	14
Appendix 5: Kettering Town Centre Area Action Plan Review: Document details, timetable and arrangements for production	15

1 Introduction

- 1.1 The Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) requires local planning authorities to prepare, maintain and publish a Local Development Scheme (LDS). The purpose of the LDS is to enable the local community to identify the timetable for the preparation of planning documents prepared in their area. This updates any previous LDS and reflects changes in guidance and adoption of the North Northamptonshire Joint Core Strategy (JCS).
- 1.2 Kettering Borough is an administrative area within North Northamptonshire. The four North Northamptonshire district/borough authorities created a Joint Planning Unit in 2004 and established a Joint Planning Committee under Section 29 of the Planning and Compulsory Purchase Act 2004. This consists of elected Members from each of the four district/borough councils and Northamptonshire County Council. The diagram below shows the relationship between the authorities in terms of plan making in North Northamptonshire. This will change when the new North Northamptonshire Unitary Council comes into effect on 1st April 2021. A revised LDS is expected to be prepared for consideration under the new administration. Until such time, it is proposed that this LDS form the basis for development of the new authority's LDS.



- 1.3 This LDS covers a three-year period and sets out details of the Development Plan Documents (DPDs) that Kettering Borough Council intends to produce, and the timetable for their production. It also includes an assessment of the roles and responsibilities of those involved in their production; a reflection on the relationship with Neighbourhood Plans and other documents; and an assessment of risks and contingencies as part of the programme to adoption.

- 1.4 The LDS will be kept up-to-date on the Council's website to allow local communities and other interested parties to keep track of the Council's progress, aware of critical phases of plan preparation, and alert to when the key stages will occur.

2 Kettering Borough Development Framework – Current Position

- 2.1 The Kettering Borough Development Framework currently comprises the following:

Development Plan Documents

- North Northamptonshire Joint Core Strategy (JCS) (Part 1 Local Plan) - adopted July 2016
- Kettering Town Centre Area Action Plan - adopted July 2011
- Saved policies from the Local Plan for Kettering Borough - adopted January 1995
- Northamptonshire Minerals and Waste Local Plan Update – adopted July 2017

Other Development Framework Documents

- Statement of Community Involvement – adopted 25th September 2019
- North Northamptonshire Authorities Monitoring Report – published annually
- Kettering Town Centre Area Action Plan Monitoring Update Report – published annually
- Local Development Scheme (this document)

- 2.2 Kettering Borough benefits from a North Northamptonshire Joint Core Strategy, adopted July 2016, and the Kettering Town Centre Area Action Plan (AAP), which was adopted in July 2011. There also remain a small number of saved policies from the Local Plan for Kettering Borough (adopted 1995).

- 2.3 The preparation of new documents will bring with it the need to review and update the content of this Local Development Scheme (LDS) however, changes to the content of documents or minor alterations to supporting mechanisms will not necessarily demand a review of the LDS.

Related Strategies

- 2.4 Working with the Local Strategic Partnership (the Kettering Partnership) will be at the heart of preparing the Development Framework documents. The Kettering Partnership consists of numerous groups and panels and is responsible for driving and developing partnership, promoting joint working, and leading on the implementation, monitoring and review of the Community Plan. The Community Plan and Town Centre Strategy for Kettering, plus other

work streams will be influential in guiding the preparation of the Development Plan Documents.

3 Development Plan Documents – Future Position

North Northamptonshire Joint Core Strategy

- 3.1 The North Northamptonshire Joint Core Strategy (JCS) was adopted in July 2016, and will cover the period 2011-2031. It was prepared by the North Northamptonshire Joint Planning Unit, and adopted by the North Northamptonshire Joint Planning Committee. The JCS is the strategic Part 1 Local Plan for the area, providing strategic planning policy and outlining the big picture for the wider North Northamptonshire area.

Kettering Borough Site Specific Part 2 Local Plan

- 3.2 The Site Specific Part 2 Local Plan (SSP2) will be prepared by Kettering Borough Council. It will provide local planning policies and more detail, where necessary, to those policies contained within the Part 1 Local Plan. The Part 2 and Part 1 plans should be intrinsically linked, to read as one Local Plan.
- 3.3 The emerging SSP2 will allocate non-strategic housing and employment sites throughout the Borough, and provide town centre policies for the three Market Towns, at Burton Latimer, Desborough and Rothwell. The Plan will also provide open space, Local Green Space, and Green Infrastructure policies to protect and provide for formal and informal leisure provision throughout the Borough.

Gypsy and Traveller Site Allocation Policy

- 3.4 This standalone policy document will be prepared by Kettering Borough Council. It will explore projected need for gypsy and traveller accommodation throughout Kettering Borough, and will seek to allocate land or provide other solutions to meet the identified need of the Borough. The North Northamptonshire Gypsy and Traveller Accommodation Assessment (GTAA) was published in March 2019 and identifies need for each of the four authority areas.

Rothwell and Desborough Urban Extension Area Action Plan (AAP)

- 3.5 Progress with the Rothwell and Desborough Urban Extension AAP was put on hold several years ago. The AAP for the urban extensions had been agreed by the Council's Planning Policy Committee for Submission to the Secretary of State. However, following the submission of planning applications for both preferred sites, and that the applications broadly reflected the emerging AAP, it was decided to delay submitting the Plan. Both applications have since been

approved, with further permissions and progress towards delivery on site from developers. The development of Rothwell North Sustainable Urban Extension has since commenced.

- 3.6 The commitment through the previous LDS was to retain this AAP and review the necessity for it with commencement of the urban extensions or with Submission of the SSP2. Given the consents and the advanced position of the SSP2, this AAP will be revoked.

Kettering Town Centre Area Action Plan (AAP)

- 3.7 Kettering Town Centre benefits from policies adopted through the Kettering Town Centre AAP. The AAP was adopted in July 2011. The major out-of-town shopping proposal at Rushden Lakes in East Northamptonshire opened in July 2017 and has since expanded significantly. It is clear this has provided a challenge to the offer and vitality and viability of Kettering town centre, along with changes in shopping habits in general and the implications for businesses as a result of the lockdown measures and restrictions brought about by the Covid-19 coronavirus pandemic. As such, once the Site Specific Part 2 Local Plan (SSP2) has been adopted, resources can be directed towards undertaking a comprehensive review of the Kettering Town Centre AAP. In the meantime, work is progressing in implementing the Council's Kettering Town Centre Delivery Plan, this is providing a focus for the delivery of a series of projects to support the town centre.

Neighbourhood Plans

- 3.8 The Localism Act 2011 introduced new rights and powers to enable communities to get directly involved in planning for their area. Neighbourhood planning allows communities to come together through a parish council or formal neighbourhood forum and produce a neighbourhood plan. Neighbourhoods can decide what they want to cover in their neighbourhood plans. They may allocate land for development or influence the type and design of development that comes forward. Neighbourhood plans must however be in general conformity with National Policy and the strategic planning policies already adopted by the Borough Council. They should not promote less development than set out in the Local Plan or undermine its strategic policies. They are also subject to an independent Examination and need to be approved by a majority vote in a local Referendum, before they can be Made (adopted).
- 3.9 To date, Kettering Borough Council has formally designated 10 neighbourhood areas, all bar one being prepared by a Town or Parish Council covering the whole of the parished area. A list of the Neighbourhood Plans and their current status is provided below. The first of the Neighbourhood Plans to be "made" was for Broughton, the Neighbourhood Plan group also "made" a Neighbourhood Development Order at the same time. Further information can be found at the following link:

https://www.kettering.gov.uk/info/20058/planning_strategies_and_policies/29/neighbourhood_planning

Neighbourhood Plan Group	Date Area Designated	Status
Rothwell	10 th April 2013	Work in progress
Desborough	16 th October 2013	Work in progress
Broughton	15 th January 2014	Made 17 th October 2018
Mawsley	15 th April 2015	Work in progress
Great Cransley	27 th May 2015	Work in progress
South West Kettering (Headlands Community)	14 th October 2015	Work in progress
Pytchley	7 th December 2015	Work in progress
Grafton Underwood	3 rd June 2019	Work in progress
Harrington	9 th September 2019	Work in progress
Braybrooke	14 th April 2020	Work in progress

3.10 Any further “made” Neighbourhood Plans will also form a part of the Development Plan and will be used to assess and determine planning applications within the Plan’s designated area.

4. Other Documents

Statement of Community Involvement

- 4.1 The North Northamptonshire Statement of Community Involvement (SCI) was last adopted by this Council on 25th September 2019. The SCI sets out the programme of community engagement in the preparation of local planning documents and in considering planning applications for the area. It sets out how the community can become involved in influencing Local Plans and planning applications ranging from minor development proposals such as house extensions, to major housing, employment and retail schemes.

Community Infrastructure Levy and Planning Obligations

- 4.2 The Community Infrastructure Levy (CIL) is a standard pre-set charge which local planning authorities are empowered, but not required, to charge on all new developments over a minimum size. However, planning obligations through S106 Agreements remain a key means for ensuring that developments pay for infrastructure to make a development proposal acceptable in planning terms. At a meeting of the Council's Planning Policy Committee on 28th January 2015, Members resolved to put preparing a CIL levy for the Borough on hold and review the implications of this decision in light of further changes in regulations; the results of any case law on pooling; or following adoption of the Joint Core Strategy. The other North Northamptonshire authorities decided to also put preparation of their CIL on hold. Earlier this year the Government resolved to remove pooling restrictions previously imposed limiting 5 planning obligations towards a single piece of infrastructure. Further guidance on these topic areas was published by the Government on 2nd September 2019, and further reforms to CIL are currently being consulted upon by Central Government.

Supplementary Planning Documents

- 4.3 Supplementary Planning Documents are not required to be identified in the Local Development Scheme. It is however worth noting that Supplementary Planning Documents have already been adopted for the following:
- Open Space SPD
 - Sustainable Design SPD
 - East Kettering Strategic Design SPD
 - Kettering Town Centre Urban Codes SPD
 - Kettering Public Realm SPD
 - Kettering Borough Shopfront Design Guidance SPD
 - Biodiversity SPD

An SPD is in preparation to cover design, entitled the North Northamptonshire Place-Shaping SPD. With the Government's National Design Guide, and other design documents, now in place, the provision of further guidance is under review. A suite of SPDs is also being considered in relation to Open Space, Playing Pitches and Sports Facilities; and a Self-build/ Housing SPD. Further

information on the Councils SPDs can be viewed by selecting the following link:

https://www.kettering.gov.uk/downloads/download/64/supplementary_planning_documents

North Northamptonshire Authorities Monitoring Report

- 4.4 The North Northamptonshire Joint Planning Unit compiles an Authorities Monitoring Report to measure progress made in delivering the policies contained within the Joint Core Strategy. Kettering Borough Council publishes an Annual Monitoring Report on its Kettering Town Centre Area Action Plan. It measures the effectiveness of the adopted policies within that Development Plan Document.

Strategic Environmental Assessment and Sustainability Appraisal

- 4.5 Achieving sustainable development is at the heart of the National Planning Policy Framework (NPPF) and planning system in general. Development Plans must be in general conformity with the NPPF. Therefore, the proposed Development Plan Documents will have to be subject to a Sustainability Appraisal (incorporating a Strategic Environmental Assessment). This will ensure that the social, economic and environmental effects of policies and allocations are understood, and fully taken into consideration. This is particularly important in the appraisal of reasonable options.
- 4.6 Development Plan Documents must also comply with the requirements of the European Community's Habitats Regulations on the conservation of natural habitats and of wild fauna and flora (Directive 92/43/EEC, May 1992). An Appropriate Assessment will be prepared for each Development Plan Document, and along with the Sustainability Appraisal, will be subject to testing at the Examination into the Plans.

5 Delivery and Implementation

Joint Working

- 5.1 A Joint Planning Unit (JPU) was set up to co-ordinate the production of strategic plan making, in the form of the Joint Core Strategy, through staff secondment and pooling of resources. The JPU is also responsible for producing the Statement of Community Involvement, and Annual Authorities Monitoring Reports. It may also be involved in coordinating other joint work and supporting the preparation of Part 2 Local Plans by each of the partner authorities.

Resources

- 5.2 In preparing the Development Plan Documents, the Council's Planning Policy Team will lead in the production of each of the Development Plan Documents. It also recognises the need to use consultant expertise to assist in producing various elements of the technical background work. The Council has budgeted for the work necessary to prepare the Development Plan Documents and has incorporated a reserve within the budgets to account for the higher costs necessary to progress Plans through Examination.

Risk Assessment

- 5.3 Production of the Development Plan Documents requires consideration of the potential risks involved in their preparation. In preparing this LDS, it was found that the main areas of risk relate to the following aspects:
- **Staff turnover and retention** – The Council officers will continue to work flexibly within the teams to ensure that resources are directed to areas where the greatest priorities require them. Plan preparation is a priority within the work programme. This will help to ensure that any loss of staff whilst positions are filled do not have a significant impact on timetables.
 - **Joint working** – The Council will continue to work positively with its North Northamptonshire partner authorities, and the Joint Planning Unit. It will also continue to engage with other authorities and organisations to ensure it satisfies the Duty to Cooperate and prepares a Statement of Common Ground.
 - **Public Service Reform** – Kettering Borough Council will cease to exist on 1st April 2021, and as an area will become a part of a new unitary authority. Elections to appoint Members will be held soon after the new council is formed. Efforts will be made to ensure that these new Members are informed of the Plans in preparation, and that the transition of existing and emerging Plans between Kettering Borough Council to a new unitary authority is as smooth as possible.

- **Budget pressures** – The budget is regularly monitored to plan and project for any extra costs potentially incurred in producing the Development Plan Documents.
- **Capacity of the Planning Inspectorate (PINS)** – Advanced notification of timetables are being provided to the Planning Inspectorate to assist them in ensuring a suitable Inspector is available, and that any Examinations can be held virtually if they need to be.
- **Agreeing the Plans through Committees** – Officers work closely with all Members, but in particular the Chair, Portfolio Holder and Members of the Planning Policy Committee, to inform them of progress in preparing the Development Plan Documents, and Background Documents, to develop understanding and foster a spirit of ownership of the content of each Plan.
- **Soundness of the Plans** – The Council will seek to minimise any risk to the assessment of “soundness” by informing PINS of the on-going process and working alongside the Council’s designated planning solicitor throughout the process.
- **Legal Challenge** – As above, the Council will work closely with its designated planning solicitor to reduce the risk of a successful legal challenge.
- **Programme Slippage** – The timetables set are considered challenging but also achievable. To seek to reduce the risk of slippage, the programme will be regularly monitored, and contingencies explored to keep the timetables on track.

Monitoring and Review

- 5.4 The North Northamptonshire Authorities’ Monitoring Report will monitor the progress of the LDS on an annual basis, reporting by December each year. An annual monitoring report will be prepared to report on the delivery of policies for each of the Development Plan Documents once each document is adopted.
- 5.5 The LDS will be reviewed within a minimum of three years from the adoption of this document.

Appendix 1 - Schedule of proposed Development Plan Documents to be prepared and agreed by Kettering Borough Council

Document title	Status	Responsible authority	Brief description	Chain of conformity	Early stakeholder + community involvement	Consultation on Publication Plan	Date for submission to S. of S.	Proposed date for adoption
Site Specific Part 2 Local Plan	DPD	KBC	Policy framework containing land allocations and site-specific proposals in Kettering Borough	To conform with the Joint Core Strategy	Draft Plan for consultation June-July 2018	December 2019-February 2020	May 2020	March 2021
Gypsy and Traveller Site Allocation Policy	DPD	KBC	Identify projected need for gypsy and traveller accommodation, and will seek to allocate land to provide sufficient pitch numbers to meet the identified need.	To conform with the Joint Core Strategy	January-March 2021	April-May 2021	July 2021	April 2022
Kettering BC Policies Maps	DPD	KBC	Illustration of policies and proposals on ordnance survey base.	To conform with the Joint Core Strategy and Site Specific Part 2 Local Plan	Continuously updated			
Kettering Town Centre Area Action Plan Review	DPD	KBC	Review of the existing document, to continue to provide a policy framework and deliver a vision for Kettering town centre.	To conform with the Joint Core Strategy and Site Specific Part 2 Local Plan	January-March 2021	September 2021	January 2022	December 2022

Appendix 2 - Title: Site Specific Part 2 Local Plan

<p>Document details</p>	<p>Role and subject The Site Specific Part 2 Local Plan, when adopted, will form part of the statutory North Northamptonshire Development Plan. The document will cover the whole Borough with the exception of issues addressed in the Joint Core Strategy and the Kettering Town Centre Area Action Plan. The allocation of land for gypsy and traveller accommodation will also be addressed through a separate Development Plan Document. The Part 2 Local Plan will include the identification of sites for housing, employment, recreation, green infrastructure and other land uses. In addition, it will contain policies relating to specific areas such as Rothwell, Desborough and Burton Latimer town centres. The plan may also contain policies relating to topics of design, affordable housing and protection of the open countryside.</p> <p>Geographical coverage The administrative District of Kettering Borough</p> <p>Status Development Plan Document</p> <p>Chain of conformity North Northamptonshire Joint Core Strategy</p>	
<p>Timetable</p>	<ul style="list-style-type: none"> - Early stakeholder and community engagement - Draft Plan for consultation - Publication consultation - Submission to S of S - Examination - Adoption 	<p>April 2009 – December 2015</p> <p>June - July 2018</p> <p>December 2019 – February 2020</p> <p>May 2020</p> <p>October 2020</p> <p>March 2021</p>
<p>Arrangements for production</p>	<p>Organisation leading the process Kettering Borough Council</p> <p>Management arrangements The Site Specific Part 2 Local Plan will be prepared, consulted upon, and managed by the Planning Policy Committee. Adoption of the Plan will be considered by KBC Full Council.</p> <p>Resources required to produce the DPD Planning Policy Team, Development Services Planning Policy budget</p> <p>Approach to involving stakeholders and the community Refer to the adopted Statement of Community Involvement.</p>	

Appendix 3 - Title: Gypsy and Traveller Site Allocation Policy

<p>Document details</p>	<p>Role and subject The Gypsy and Traveller Site Allocation Policy, when adopted, will form part of the statutory North Northamptonshire Development Plan. This document will explore projected need for gypsy and traveller accommodation throughout Kettering Borough. It will seek to allocate land to provide sufficient pitch numbers to meet the identified need. A Gypsy and Traveller Accommodation Assessment (GTAA) for North Northamptonshire identifying needs for the area was published in March 2019.</p> <p>Geographical coverage The administrative District of Kettering Borough</p> <p>Status Development Plan Document</p> <p>Chain of conformity North Northamptonshire Joint Core Strategy</p>	
<p>Timetable</p>	<ul style="list-style-type: none"> - Early stakeholder and community engagement - Draft Plan for consultation - Publication consultation - Submission to S of S - Examination - Adoption 	<p>Ongoing</p> <p>January-March 2021</p> <p>April-May 2021</p> <p>July 2021</p> <p>October 2021</p> <p>April 2022</p>
<p>Arrangements for production</p>	<p>Organisation leading the process Kettering Borough Council</p> <p>Management arrangements The Gypsy and Traveller Site Allocation Policy will be prepared, consulted upon, and managed by the Planning Policy Committee. Adoption of the Plan will be considered by KBC Full Council.</p> <p>Resources required to produce the DPD Planning Policy Team, Development Services Planning Policy budget</p> <p>Approach to involving stakeholders and the community Refer to the adopted Statement of Community Involvement.</p>	

Appendix 4 - Title: Kettering Borough Policies Maps	
Document details	<p>Role and subject The policies maps will illustrate on an Ordnance Survey base map all the policies and proposals contained in development plan documents and saved policies. It will reflect the Key Diagram in the Joint Core Strategy, and it will contain Insets showing the proposals within specific areas (e.g. sites subject to development allocation; Area Action Plans; or sites to which policies apply for protection and/or enhancement).</p> <p>Geographical coverage The maps will cover the administrative district of Kettering Borough.</p> <p>Status Development Plan Document</p> <p>Chain of conformity North Northamptonshire Joint Core Strategy</p>
Timetable	The Policies Maps will be revised, where necessary, to reflect the up-to-date plan for the area whenever a Development Plan Document is adopted or a 'saved' policy ceases to be part of the Local Plan.
Arrangements for production	<p>Organisation leading the process Kettering Borough Council</p> <p>Management arrangements The Proposals Maps will be prepared, consulted upon, and managed by the Planning Policy Committee. Adoption of policies that appear on the Proposals Maps will be considered by KBC Full Council or the Joint Planning Committee, dependent upon the relative powers.</p> <p>Resources required to produce the DPD Planning Policy Team, Development Services Plus external resources to be procured from companies providing cartographic, printing and online information, through funds allocated in the Planning Policy budget</p> <p>Approach to involving stakeholders and the community Refer to the adopted Statement of Community Involvement.</p>

Appendix 5 - Title: Kettering Town Centre Area Action Plan Review

<p>Document details</p>	<p>Role and subject This AAP will review the existing Kettering Town Centre AAP, setting out policies and proposals for Kettering Town Centre. The aim of the Development Plan Document will be to enhance the vitality and viability of the town centre by considering issues of growth, distribution of land uses, access, and improvements to the public realm. It will require reference to AAP Annual Monitoring Reports and subsequent reports on the health of the town centre as a result of the major out-of-town development at Rushden Lakes, changes on shopping habits, and development at neighbouring town centres.</p> <p>Geographical coverage Kettering Town Centre</p> <p>Status Development Plan Document</p> <p>Chain of conformity North Northamptonshire Joint Core Strategy.</p>	
<p>Timetable</p>	<ul style="list-style-type: none"> - Early stakeholder and community engagement - Draft Plan for consultation - Publication consultation - Submission to S of S - Examination - Adoption 	<p>Ongoing January – March 2021 September 2021 January 2022 April 2022 December 2022</p>
<p>Arrangements for production</p>	<p>Organisation leading the process Kettering Borough Council</p> <p>Management arrangements The Kettering Town Centre AAP will be prepared, consulted upon, and managed by the Planning Policy Committee. Adoption of the Plan will be considered by KBC Full Council.</p> <p>Resources required to produce the LDD Planning Policy Team, Development Services Planning Policy budget</p> <p>Approach to involving stakeholders and the community Refer to the adopted Statement of Community Involvement.</p>	

Committee	COUNCIL	Item 9	Page 1 of 5
Report Originator	M Hammond	<i>Fwd Plan Ref No:</i>	
Wards Affected	All wards in Kettering	23 rd September 2020	
Title	KETTERING COMMUNITY GOVERNANCE ORDER- CREATION OF A TOWN COUNCIL FOR KETTERING AND ASSOCIATED CHANGES		

1. PURPOSE OF REPORT

1.1 To seek approval for the creation of a Town Council for Kettering, for consequent boundary changes between Kettering and adjacent parishes and for the making of a statutory order to that effect.

2. INFORMATION

2.1 At its meeting in January 2020, the Council agreed to consult on proposals to create a town council for the currently unparished area of Kettering from April 2021 onwards, and to change the boundaries between Kettering and adjacent parishes, as well as some further consequent boundary changes between Barton Seagrave, Cranford and Burton Latimer parish areas. This report was originally intended to go to Council in April 2020, and has been delayed by the cancellation of meetings as a result of the coronavirus.

2.2. The consultation period ran from the end of January to 17th March 2020. This was the second stage of consultation, as required by the Community Governance Review process, and it sought views on the statement of recommendations as set out in **Appendix 1** to this report, including the boundary changes between parished areas and the ward boundaries within the new Kettering Town Council area.

2.3. No substantive new comments were made on the proposals, so therefore the Council is asked to approve the creation of a town council based on the attached statement, with effect from 1st April 2021.

2.4. In the meantime, the Local Government Reform Advisory Committee (LGRAC) met on the 21st July to propose a number of arrangements concerning the administration of a Town Council. The LGRAC recommends to Council that

BOROUGH OF KETTERING

Committee	COMMITTEE	Item 9	Page 2 of 5
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- a) that office space within the Municipal Offices be offered to the Town Council for lease for an initial period of twelve months
 - b) the lease for the Mayoral car not be extended beyond 31st March 2021 and that officer support for the Town Council's civic office be decided and funded by the Town Council,
 - c) that the process for the transfer of the former Borough of Kettering (pre-1974) Coat of Arms to the new Town Council be commenced and a sum of up to £6,000 be committed to the transfer process, including fees payable to the College of Arms.
 - d) that the precept for the Town Council in its first year allow for a sum of approximately £2,000 for twinning support.
 - e) the original decision to transfer the Market Charter to the Town Council be endorsed;
 - f) market stalls and other equipment be transferred to the Town Council
 - g) that a temporary clerk be appointed for the period March -July 2021 and that delegated authority be granted to SMT to make the appropriate arrangements to appoint someone, and for the Borough Council to bear the first month of that cost. .
- 2.5. In relation to the market charter, the transfer to the Town Council may need to be covered in one of the consequential orders submitted to Parliament dealing with aspects of local administration not yet covered in the Structural Change Order.
- 2.6. The new Town Council would have a statutory responsibility to take on the provision of allotments within Kettering Town and to take on ownership of any neighbourhood plans. It could also elect to take on the maintenance of any closed churchyards if it wished.
- 2.7 A draft Order has been drawn up which will put the decision of Council into effect and this is attached as **Appendix 2**.

3. CONSULTATION AND CUSTOMER IMPACT

- 3.1 Consultation has taken place through the community governance review, and the results of the first stage of consultation were reported to Council in January this year.

BOROUGH OF KETTERING

Committee	COMMITTEE	Item 9	Page 3 of 5
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4. POLICY AND RESOURCE IMPLICATIONS

- 4.1 The creation of a Town Council enables the community of Kettering to be represented at the same level as all other parts of the existing Borough once a unitary council has been created. The boundary changes allow for a sensible delineation of communities once East Kettering/Hanwood Park has been built out. The Boundary Commission will conduct a review of ward boundaries within the town of Kettering during the Council's first term (2021-25)
- 4.2. The Council will be asked to set a precept for the Town Council at its February meeting and a report will be submitted to that effect at the time.

5. LEGAL AND EQUALITY IMPLICATIONS

- 5.1 The Community Governance Review process has been followed throughout.

6. CLIMATE CHANGE IMPLICATIONS

- 6.1 None

BOROUGH OF KETTERING

Committee	COMMITTEE	Item 9	Page 4 of 5
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7. RECOMMENDATION

7.1 The Council is recommended to

- a) approve the creation of a Town Council for Kettering and the consequent boundary changes as set out in Appendices 1 and 2, including the attached maps, and for the making of an Order to that effect
- b) approve the transfer of all Mayoral assets and regalia, the transfer of ownership of all allotment sites within the Borough, and the transfer of physical assets in relation to the market, to the new Town Council, from 1st April 2021
- c) approve the inclusion of the transfer of the market charter for Kettering in the consequential local government reform orders to be approved by Parliament
- d) authorise officers to submit a petition to the College of Arms to secure the pre-1974 Coat of Arms and armorial bearings for use by the Town Council on its creation and authorise a budget of £6000 to complete the transfer.
- e) approve the letting of office space within the Municipal Offices to the Town Council for an initial period of twelve months
- f) agree that the Town Council take on responsibility for supporting twinning activities
- g) appoint a temporary clerk for the period March- July 2021 and give delegated authority to SMT to make the appropriate arrangements to appoint someone, and for the Borough Council to bear the first month of that cost.

Background Papers:

Previous reports to Council and consultation responses
Draft model Order for the creation of new parishes

Previous Reports

Local Government Reform Advisory Committee 30th January, 10th April, 19th June 2019 and 21st July 2020

Council 6th March 2019, 24th July 2019, 13th January 2020,

BOROUGH OF KETTERING

Committee	COMMITTEE	Item 9	Page 5 of 5
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Date 20th August 2020
Contact Officer M Hammond

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9. APPENDIX 1

KETTERING BOROUGH COUNCIL COMMUNITY GOVERNANCE REVIEW 2019-20 STATEMENT OF RECOMMENDATIONS

Purpose

This document sets out the Borough Council's views on the creation of a Town Council for the currently unparished area of Kettering, together with consequential boundary revisions to the parishes of Cranford, Barton Seagrave and Burton Latimer.

The proposals set out below are presented for consultation, prior to the Council making a final decision at its meeting on 22nd April 2020. The deadline for responses is 17th March. Consultation responses should be sent to:- Communications Team, Kettering Borough Council, Kettering, Northants, NN15 7QX

Background

The government has set out its intention to create two new unitary authorities in Northamptonshire with effect from April 2021, and consequently abolish the existing local authorities. This has led the Borough Council to consider establishing a Town Council in Kettering, so that this unparished area has the same representation as the wider geography of North Northamptonshire when the new unitary authority is established.

The Borough Council consulted on aspects of this proposal, as a community governance review, which is a statutory process. As part of the statutory process, the Borough Council must publish its statement of what it intends to do for comment before it can implement it. We are at this stage.

Consultation response

The consultation was supportive of the establishment of a Town Council, and of expanding the geography of the town area, to include parts of Cranford and Barton Seagrave Parish areas, but also to expand the boundaries of Barton Seagrave into some of the unparished area and into Cranford parish. The Council report on the consultation can be found here along with the full consultation responses. www.kettering.gov.uk/towncouncil

Detailed proposals

The Borough Council is therefore proposing

- a) **That a new Town Council is created, with effect from 1st April 2021.** In order to have effect, the Council will need to formally agree this, and by 1st April
 - a. appoint someone to act as the interim clerk to the Council,

- b. agree a precept so that the Town Council will have funds available for its first year to defray expenses, including election expenses, mayoral expenditure, interim clerking costs and any costs associated with its functions or administration.
 - c. arrange for elections to be held in May 2021 for town councillors.
- b) **That the Town area should include land to the east of Kettering in an expanded geography, as set out in Plan A attached. At the same time, the parish of Barton Seagrave should be expanded to reflect community loyalties and a sensible geography.** Some further tidying up of boundaries to follow the line of the A14 is also proposed.

The plan shows the areas to be transferred between Cranford, Barton Seagrave, Burton Latimer and Kettering,

- c) **That the Town Council should comprise 20 councillors, representing 9 wards** whose boundaries should follow those of the current KBC wards. There will be some variation to the existing Ise ward to recognise the inclusion of land to be taken from Cranford and Barton Seagrave Parish Councils, and land ceded to Barton Seagrave Parish, which in the first year or so will have a broadly neutral effect on the electorate of the ward. Plan B attached shows the proposed wards, as amended by the proposals in (b) above.
- It is expected that the UK Boundary Commission will review the new unitary council's ward boundaries shortly after it is created and that in turn will lead to a revision to town council wards. The Borough Council recognised that there would be an early review of boundaries and therefore that making a significant change now to electoral arrangements would be too short lived to justify the effort involved.
- d) **That the Town Council would appoint a Mayor each year**, who would be the ceremonial and civic embodiment of the community and town. To enable this function, the Borough Council would transfer into the ownership of the Town Council the following assets
- a. The civic robes, and regalia
 - b. The chains of office and mace and associated material
 - c. The insignia used by the former Kettering Borough Council up until 1974.
 - d. The plate, memorabilia, twinning assets and other property held within the Mayor's parlour

Much of this material was inherited by the current Kettering Borough Council from its predecessor in 1974, and therefore it is felt to be appropriate to gift it back to the new town council. The new town council will need to replace the insignia in the mace and chains of office with those that were originally used before 1974, and return to the North Northamptonshire Unitary Council the insignia used by KBC from 1974-2021.

The new Town Council will also need to apply to the Herald of Arms for permission to revive the coat of arms which was in use for Kettering up until 1974, as these are reflected in the pre-1974 insignia. To expedite matters, the Borough Council will start this process on behalf of the Town Council before April 2021.

- e) **The Market Charter vested in Kettering Borough Council should be transferred to the Town Council, with effect from 1st April 2021.** The royal charter was granted in 1227 and has been vested in the community of Kettering since then, and it is felt appropriate that this should continue to apply. It will be for the Town Council to decide if it wishes to administer the market directly or to contract with the unitary council or another party instead.

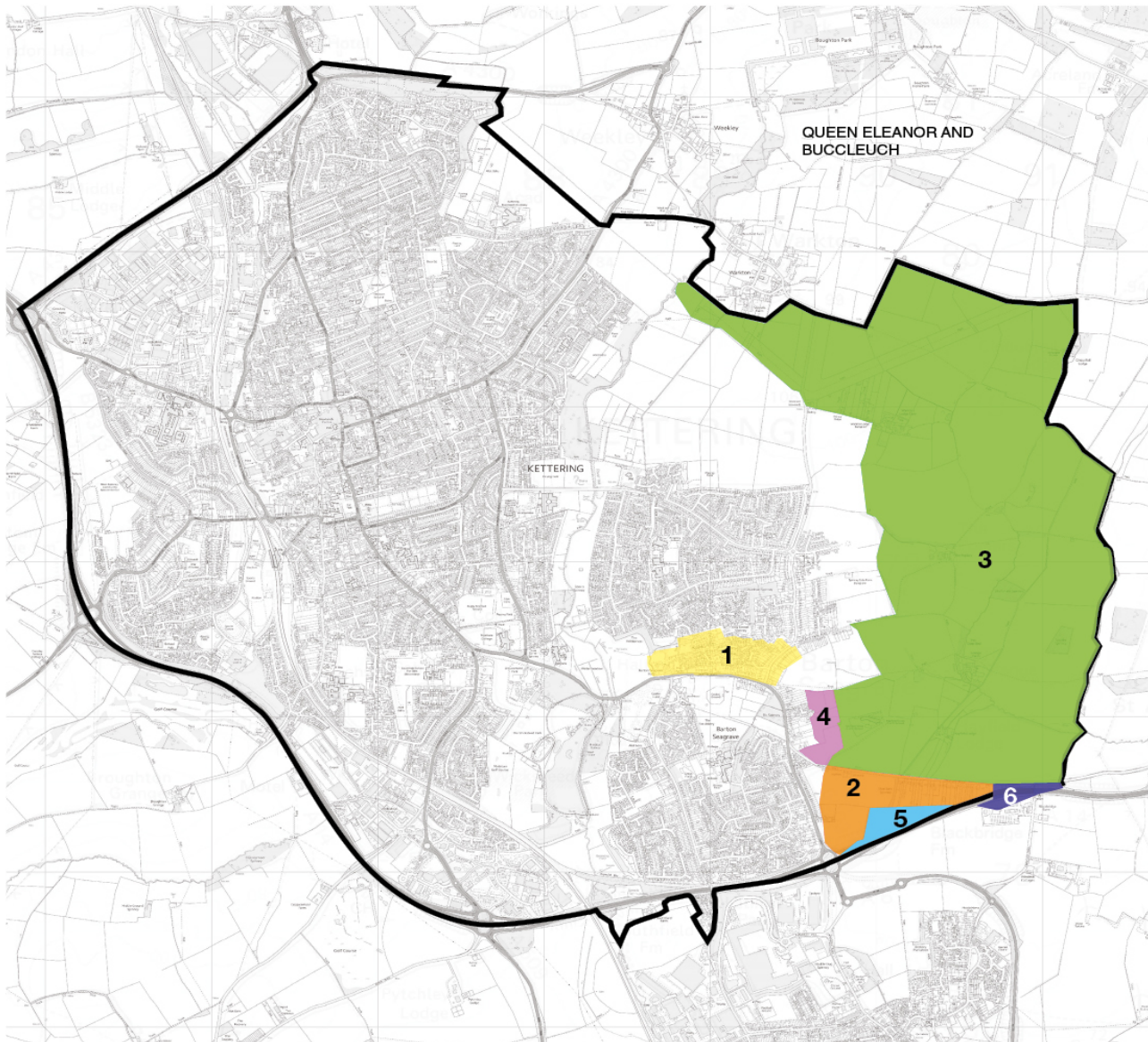
The Town Council will otherwise have the statutory duties and powers of a parish council, including the management of allotments, and the creation of any neighbourhood plans, and which can, if agreed, be supplemented by any functions or assets that the new unitary Council wishes to confer on it.

The Council believes that these proposals meet the key and specific criteria for a community governance review - firstly reflecting the interests and identities of local communities in terms of achieving community cohesion within the area of the review and secondly, of providing effective and convenient community governance for the area.

ENDS

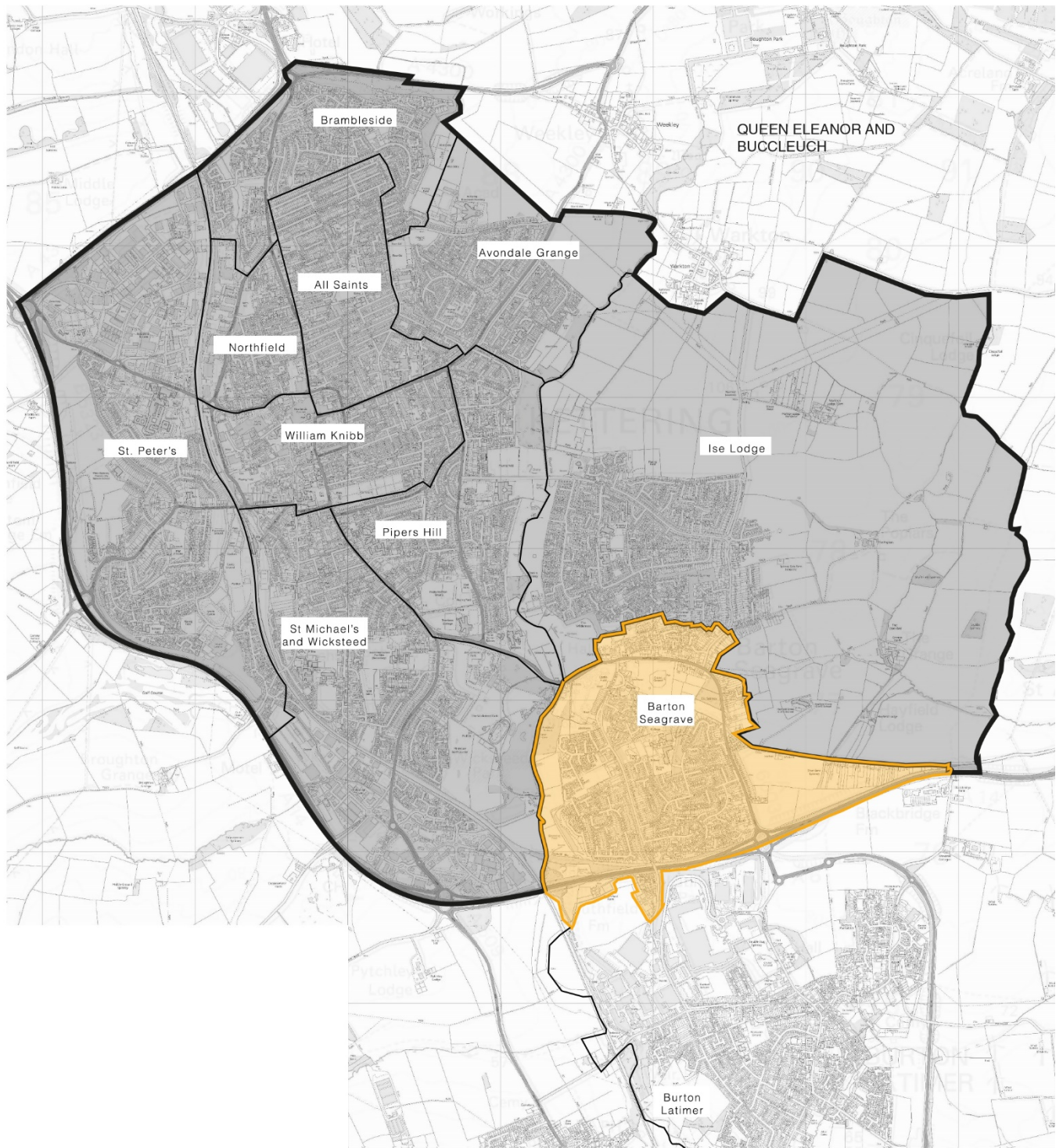
13th January 2020

PLAN A



1. **Land in yellow** – land to be added to the parish of Barton Seagrave taken from the currently unparished area of Kettering
2. **Land in orange** – land to be added to the parish of Barton Seagrave taken from the parish of Cranford.
3. **Land in green** – land to be added to the Town of Kettering, taken from the parish of Cranford
4. **Land in pink** – land to be added to the town of Kettering taken from the parish of Barton Seagrave
5. **Land in light blue** – land to be added to the parish of Barton Seagrave, taken from the parish of Burton Latimer
6. **Land in dark blue** – land to be added to the parish of Burton Latimer, taken from the parish of Cranford.

PLAN B



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KETTERING BOROUGH COUNCIL**LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007****The Kettering Borough Re-organisation of Community Governance Order 2020**

Made 24th September 2020 and coming into force on 1st April 2021.

Kettering Borough Council, in accordance with s82 of the Local Government and Public involvement in Health Act, has undertaken a community governance review and made recommendations dated January 2020.

The Council has decided to give effect to those recommendations and, in accordance with section 93 of the 2007 Act, has consulted with local government electors and other interested persons and has had regard to the need to secure community governance arrangements which reflect the identities and interests of the community and which are effective and convenient.

The Council in accordance with Section 100 of the 2007 Act, has had regard to guidance issued under that section, and now makes the following Orders in exercise of the relevant powers conferred by sections 86, 98, and 240 of the 2007 Act.

1. Citation and commencement

- 1.1. This Order may be cited as the Kettering Borough Reorganisation of Community Governance Order 2020.
- 1.2. It shall come into force on 1st April 2021.
- 1.3. Article 6 shall come into force on the ordinary day of election of councillors in 2021.
- 1.4. For the purposes of proceedings preliminary or relating to the election of parish councillors for the parishes of Kettering, Barton Seagrave, Burton Latimer and Cranford, in 2021, this Order shall come into force on 15th October 2020.

2. Interpretation

In this order,

Borough means the Borough of Kettering

Maps means the several maps referred to in the Kettering Borough Reorganisation of Community Governance Order 2020 and deposited in accordance with Section 96(4) of the 2007 Act and references to a numbered sheet is a reference to the sheet of the map bearing that number.

Ordinary day of election of councillors has the meaning given by Section 37 of the Representation of the Peoples Act 1983

3. Effect of Order

This order has effect subject to any agreement under section 99 (agreements about incidental matters) of the Local Government and Public Involvement in Health Act 2007 relevant to any provision of this Order.

4. Constitution of a new parish and new parish council for Kettering Town

- 4.1. A new parish, comprising the area outlined with a thick black line on map one attached to this order, shall be constituted within the Borough of Kettering
- 4.2 The name of the new parish will be Kettering Town.
- 4.3 In consequence of para 4.1, the area of the new parish will incorporate land transferred from Cranford Parish (coloured green on the plan) and from Barton Seagrave Parish (coloured purple on the plan).
- 4.4 There shall be a parish council for the parish of Kettering, referred to as Kettering Town Council.

5. Alterations to the Boundaries of Barton Seagrave, Burton Latimer and Cranford civil parishes

- 5.1. In consequence of the creation of the new parish of Kettering Town, adjustments are made to the boundaries of Barton Seagrave, Burton Latimer and Cranford parishes, which also reflect development plans for a sustainable urban extension to the east of Kettering.
- 5.2. The areas designated by colour on map one attached shall be transferred between parishes on or before the 1st April 2021, as follows, and as detailed in schedule two of the order: -
 - 5.2.1. Land shown in orange will transfer from the unparished area of Kettering to Barton Seagrave Parish
 - 5.2.2. Land shown in yellow will transfer from Cranford parish to Barton Seagrave parish
 - 5.2.3. Land shown in pink will transfer from Burton Latimer parish to Barton Seagrave parish
 - 5.2.4. Land shown in blue will transfer from Cranford parish to Burton Latimer parish

6. Elections to Kettering Town Council

- 6.1. The election of all parish councillors for the parish of Kettering Town shall be held simultaneously on the ordinary day of election of councillors in 2021.
- 6.2. Councillors elected to the new Council will be known as Town Councillors.
- 6.3. The term of office of every town councillor elected on the ordinary day of election in 2021 shall be four years, and for each subsequent election, each term of office will be four years.

7. Number of parish councillors for Kettering Town Council

- 7.1. The number of Town Councillors to be elected to the Town Council shall be twenty.

8. Wards of the parish of Kettering Town

- 8.1. The parish of Kettering shall be divided into nine wards, each of which shall be variously represented by one, two or three members, as set out in schedule one to this order and as represented on map two attached.

9. Number of parish councillors for other parishes affected by boundary changes

- 9.1. The number of parish councillors elected to the parish council of Barton Seagrave will remain at 8.

9.2. The number of town councillors elected to the town council of Burton Latimer will remain at 12.

9.3. The number of parish councillors elected to the parish council of Cranford will remain at 7.

10. Annual meeting of the Kettering Town Council

10.1. The first annual meeting of the Kettering Town Council will take place no later than 14 days after the day on which the councillors elected to the new council take office.

10.2. The meeting will be convened by the person appointed by Kettering Borough Council to act as the clerk to the Council at that time.

10.3. The Council will, at its Annual meeting, and each subsequent annual meeting, appoint one of its members to the office of Mayor, such person to be chair of the Town Council for the ensuing municipal year.

11. Electoral Register

The registration officer for the Borough of Kettering shall make such re-arrangement of the register of local government electors as may be necessary for the purposes of, and in consequence of this Order

12. Transfer of properties, rights and liabilities

The land, property, rights and liabilities described in Schedules 3, 4 and 5 shall transfer from Kettering Borough Council to Kettering Town Council on the dates specified in column 2 of those schedules.

13. Precept for the Town Council

The Town Council will fix a precept each year which will fund its activities. For the financial year 2021/22, the precept will be fixed on behalf of the Town Council by Kettering Borough Council.

14. Order date

1st April 2021 is the order date for the purposes of the Local Government (Parishes and Parish Councils (England) Regulations 2008.

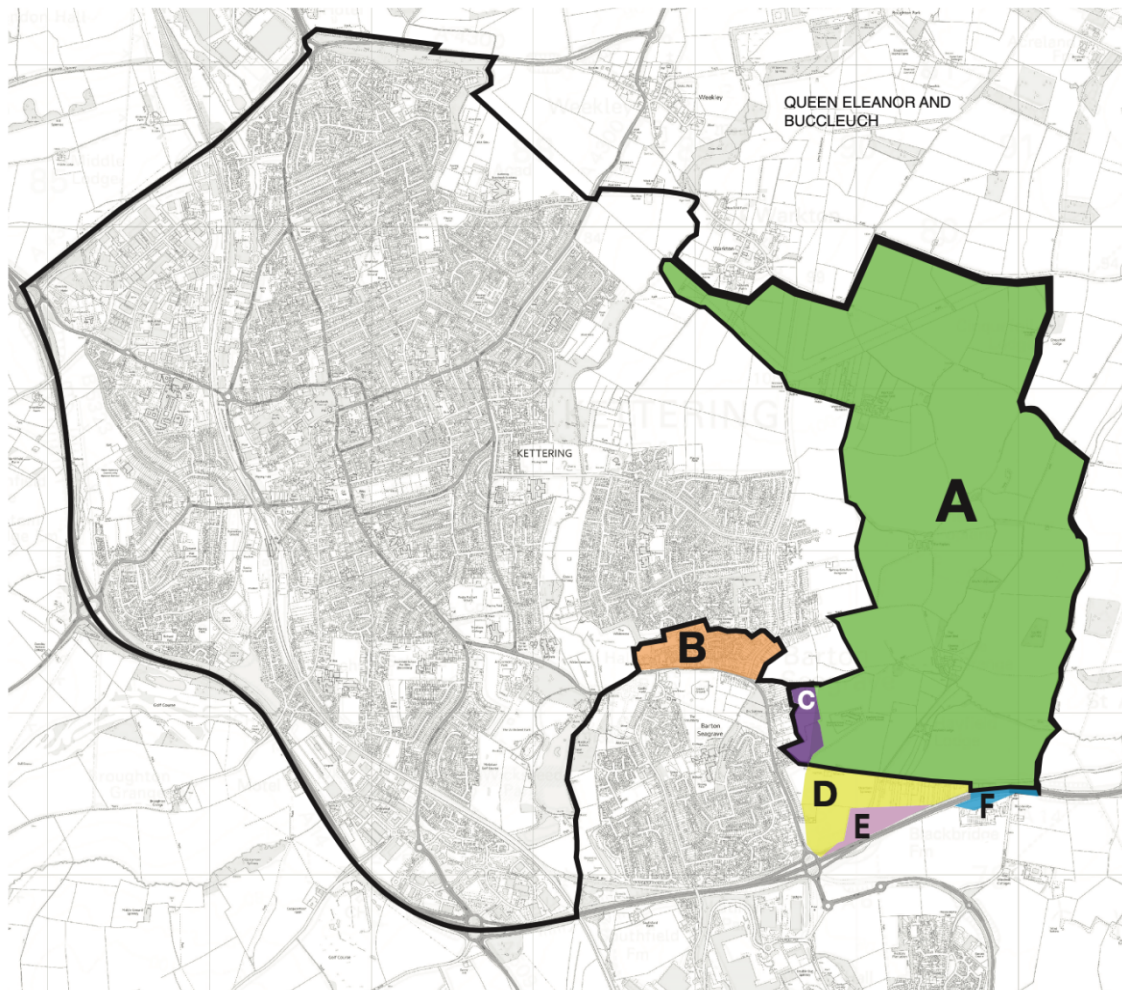
Sealed with the seal of the Kettering Borough Council on xx day of xx 2020

Signature

Title of Signatory

Date

Map 1



A - Land in green

land to be added to the Town of Kettering, taken from the parish of Cranford.

B - Land in orange

land to be added to the parish of Barton Seagrave taken from the currently unparished area of Kettering.

C- Land in purple

land to be added to the town of Kettering taken from the parish of Barton Seagrave.

D - Land in yellow

land to be added to the parish of Barton Seagrave taken from the parish of Cranford.

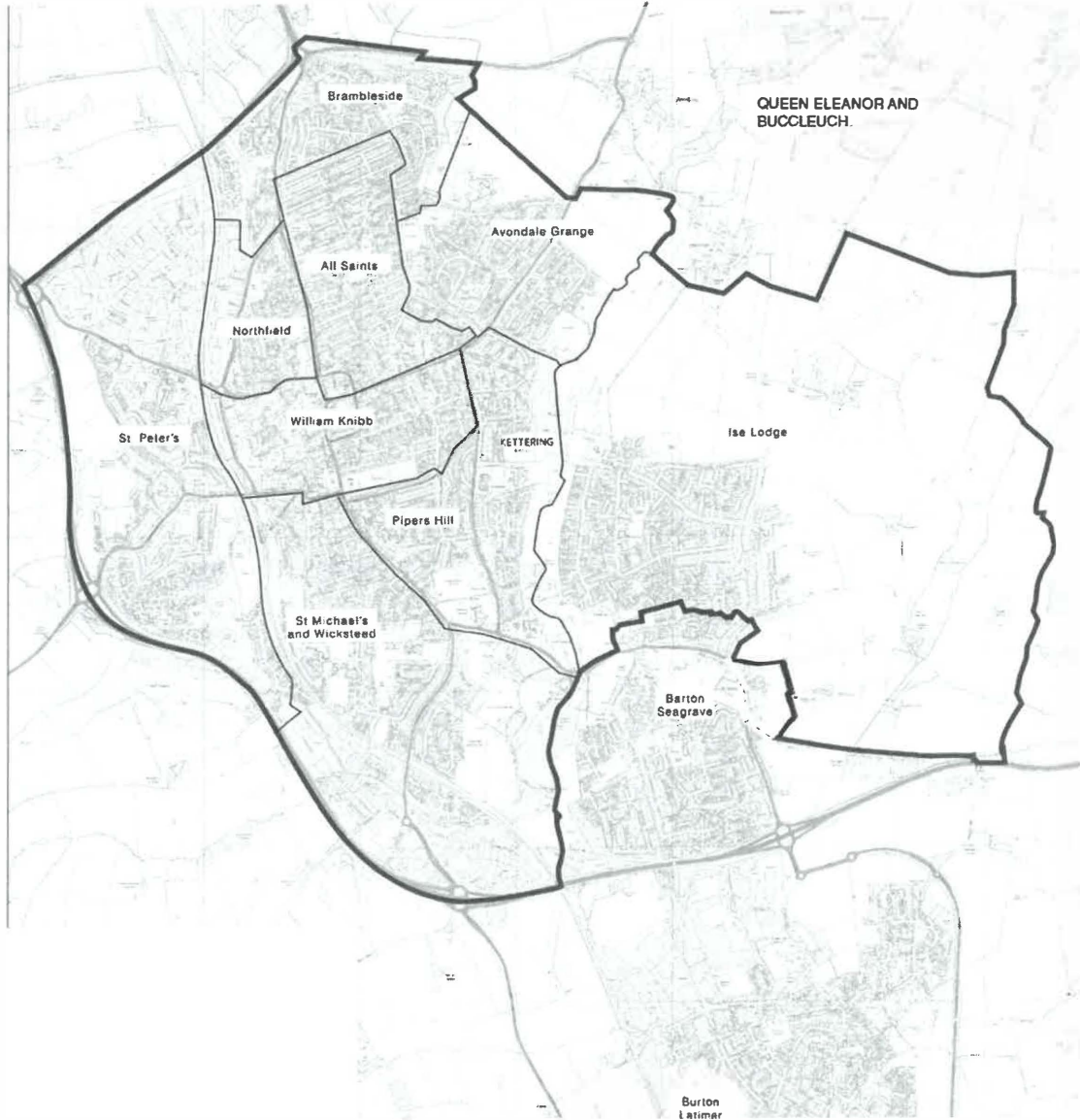
E- Land in pink

land to be added to the parish of Barton Seagrave, taken from the parish of Burton Latimer.

F- Land in blue

land to be added to the parish of Burton Latimer, taken from the parish of Cranford.

Map 2



SCHEDULE 1

WARDS OF THE PARISH OF KETTERING

Name of ward	Area of ward	Number of councillors
All Saints	The area of the Kettering Borough Council ward of All Saints	Three
Avondale Grange	The area of the Kettering Borough Council ward of Avondale Grange	Two
Brambleside	The area of the Kettering Borough Council ward of Brambleside	Two
Ise	(a) The area of the Kettering Borough Council ward of Ise Lodge, minus the area of land marked in orange in map one to this order, (b) The land marked in green on map one to this order, being transferred from the parish of Cranford to the parish of Kettering (c) The land marked in purple on map one to this order, being transferred from the parish of Barton Seagrave to the parish of Kettering	Three
Northfield	The area of the Kettering Borough Council ward of Northfield	One
Pipers Hill	The area of the Kettering Borough Council ward of Pipers Hill	Two
St Michaels and Wicksteed	The area of the Kettering Borough Council ward of St Michaels and Wicksteed	Three
St Peters	The area of the Kettering Borough Council ward of St Peters	Two
William Knibb	The area of the Kettering Borough Council ward of William Knibb	Two

SCHEDULE 2

ALTERATION OF AREAS OF PARISHES

Area	Parish from which omitted	Parish to which added	Parish ward to which added
A – coloured green	Cranford	Kettering	Ise
B – coloured orange	Kettering unparished area	Barton Seagrave	None
C – coloured purple	Barton Seagrave	Kettering	Ise
D – coloured yellow	Cranford	Barton Seagrave	None
E – coloured pink	Burton Latimer	Barton Seagrave	None
F – coloured blue	Cranford	Burton Latimer	None

SCHEDULE 3

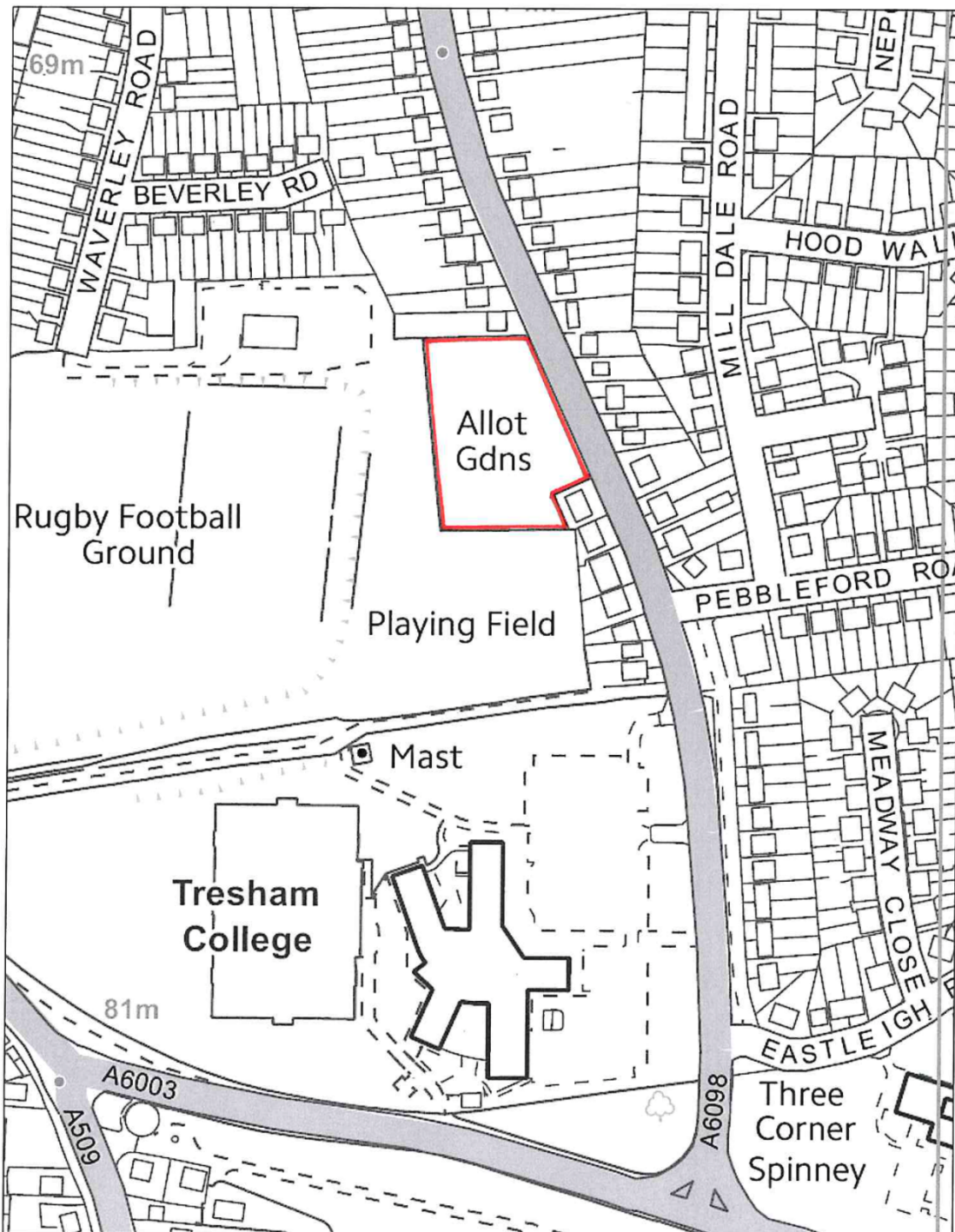
LAND AND PROPERTY TO BE TRANSFERRED

Land and property to be transferred (refer to maps attached)	Date
Allotment land at Windmill Avenue, Kettering, forming part of Land Title NN284794	April 1 st 2021
Allotments at Northfield Avenue, Kettering forming part of Land Title NN284692	April 1 st 2021
Land in use for allotments off Scott Rd, Kettering, forming part of Land Title NN46552	April 1 st 2021
Allotment land at Margaret Rd, known as the Green Patch, Kettering - forming part of Land Title NN317363	April 1 st 2021
Allotment land at Whiteford Drive and South End, Kettering forming part of Land Titles NN287621 & NN287624	April 1 st 2021
Market stalls and associated equipment 20 x Market Stall frames Vitabri model number V3S1, 3m x 3m; 33 x PVC market stall covers for Vitabri stall models, plus x 'Kettering Markets' branded market stall covers with sides and gutters	May 10 th 2021

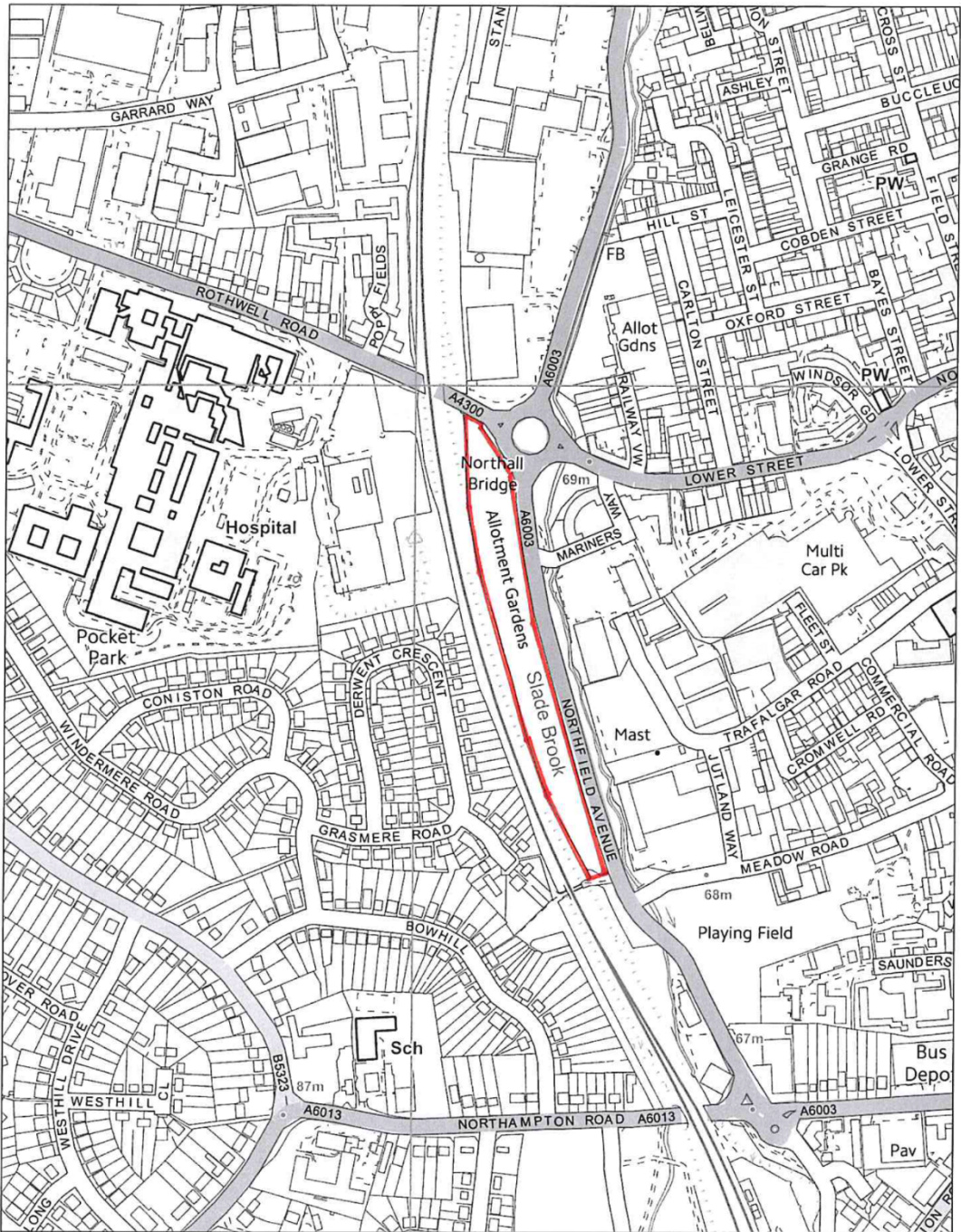
SCHEDULE 4

HISTORICAL AND CEREMONIAL PROPERTY TO BE TRANSFERRED

Property to be transferred	Date
The mace and stand	April 1 st 2021
The chains of office for the Mayor, Mayor's consort, Deputy Mayor and Deputy Mayor's consort	April 1 st 2021
The duplicate chains of office	April 1 st 2021
The robes, hat, ruffs and neckwear worn by the Mayor, Town Clerk and Legal Officer	April 1 st 2021
The plate, memorabilia, silverware and mementos retained in the Mayor's parlour and elsewhere within the Council's ownership, as set out in a separate schedule to be provided to the interim town clerk on their appointment.	April 1 st 2021
Coat of arms inserts for the chains of office, and the mace relating to the pre 1974 Borough of Kettering and the dies associated therewith	April 1 st 2021
A copy of the Market Charter from 1227	April 1 st 2021



Title: Title: Allotment - Windmill Avenue, Kettering		Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown Copyright 2020 All rights reserved. Licence 100017647 Kettering Borough Council
Date: 10:09:20	Scale: 1:2500	
Drawn by: Drawn by:		



Title: Title: Allotments at Northfield Avenue, Kettering		Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown Copyright 2020 All rights reserved. Licence 100017647
Date: 09:09:20	Scale: 1:5000	Drawn by: Drawn by:

Kettering
Borough Council



Title: Title:
 Allotment off Scott Road, Kettering

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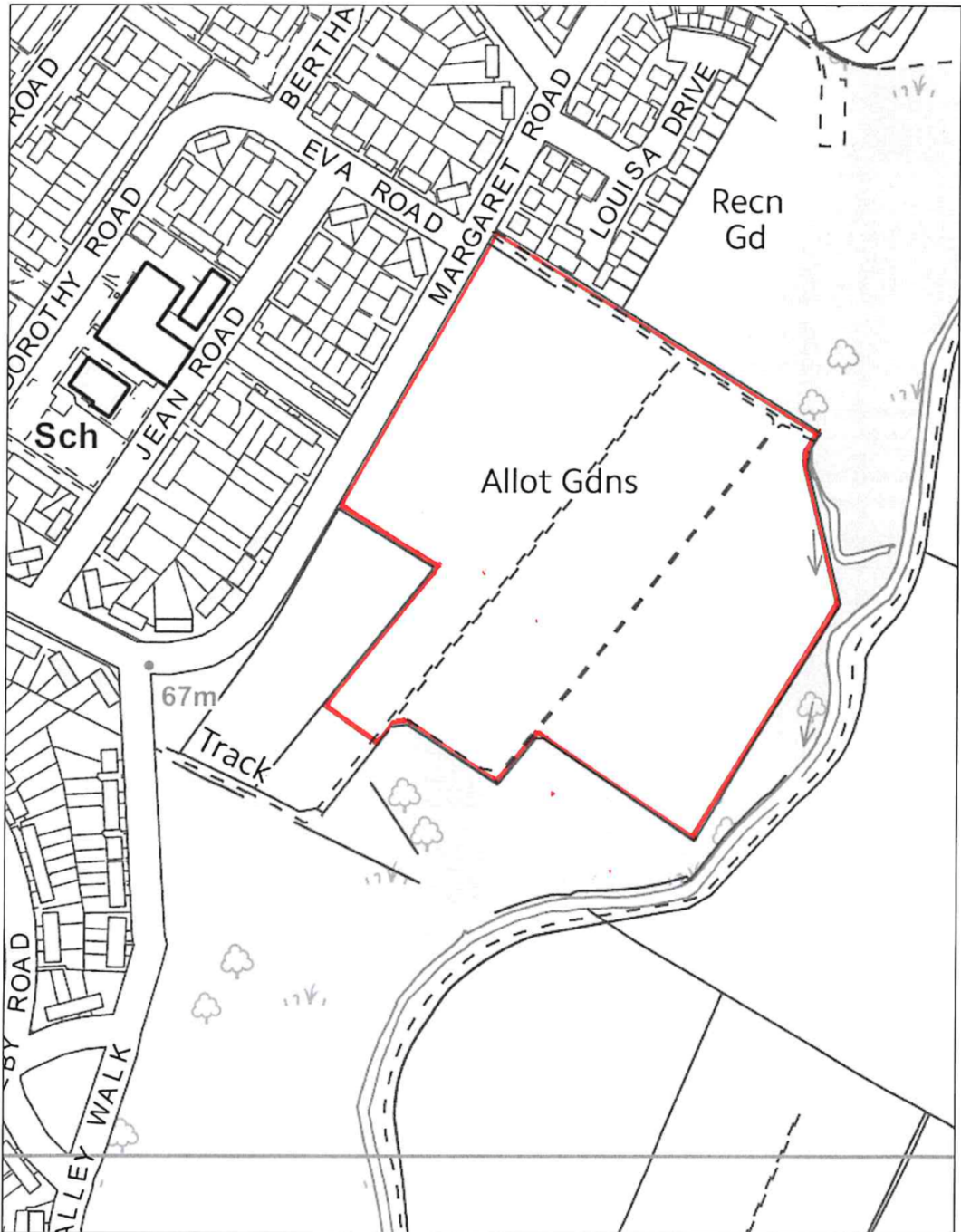
Licence
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Kettering
 Borough Council

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Allotments at Margaret Road, Kettering

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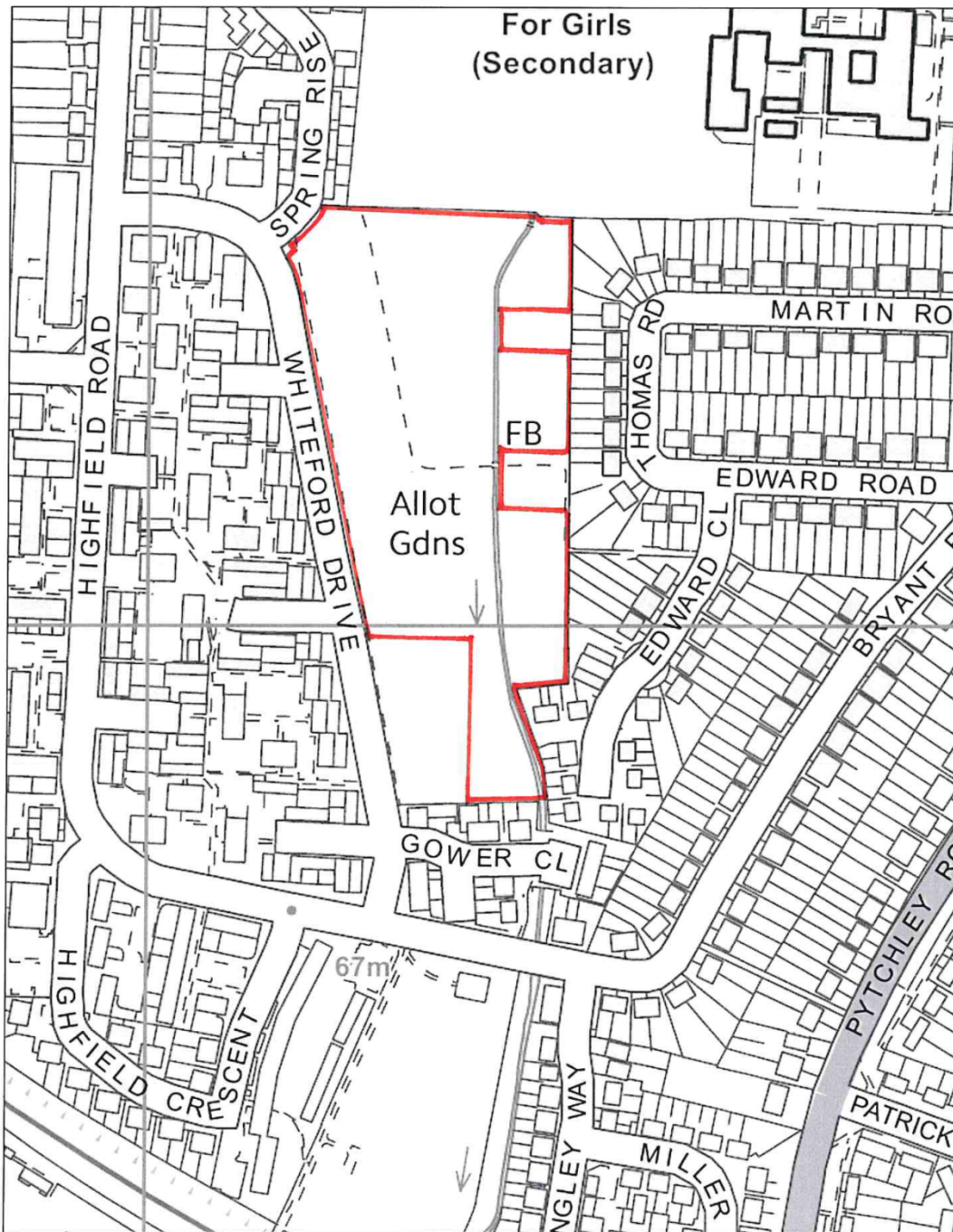
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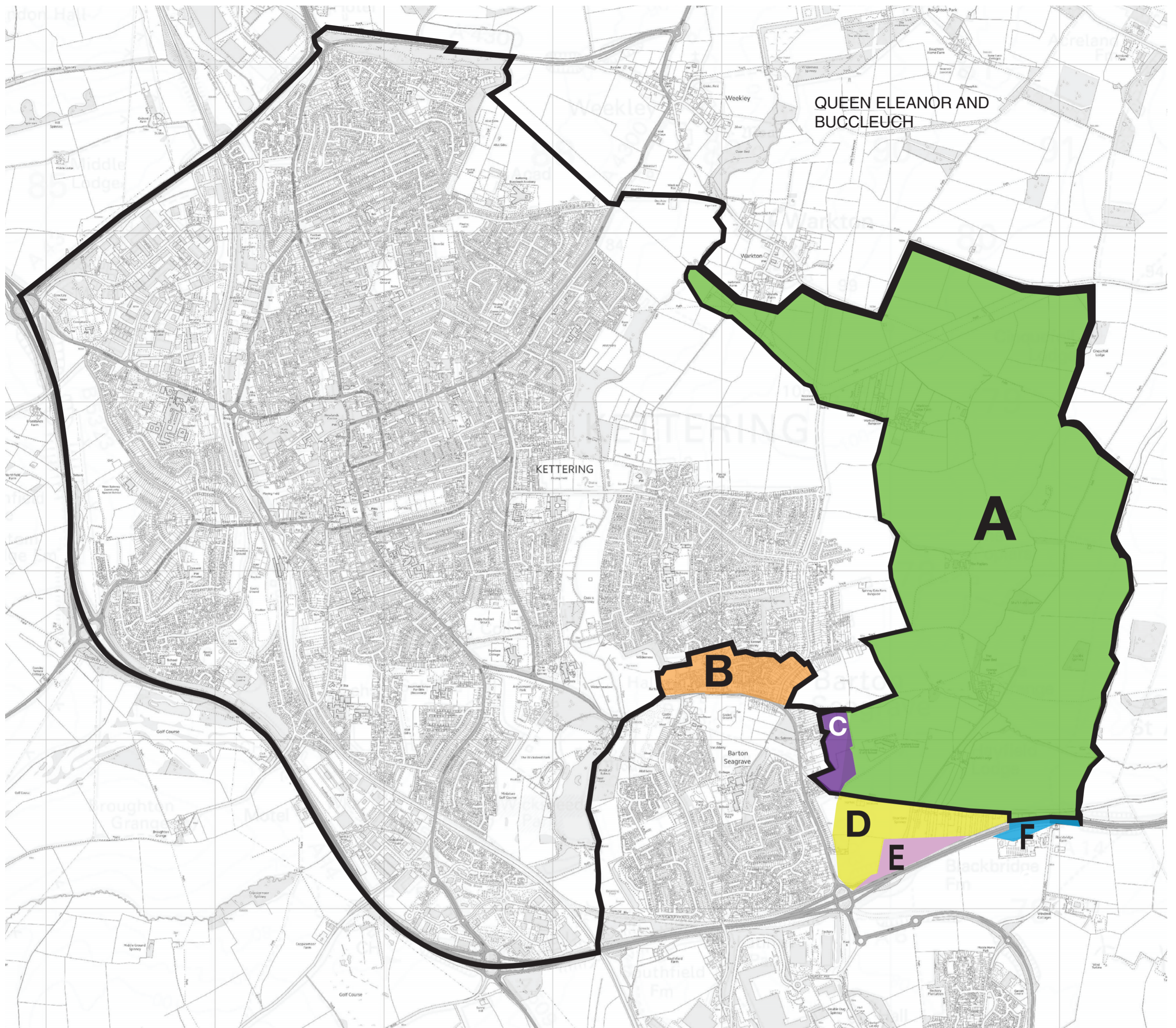
Kettering
Borough Council



Title: Title: Allotment land at Whiteford Drive/south end, Kettering		Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown Copyright 2020 All rights reserved. Licence 100017647
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Map 1



A - Land in green

land to be added to the Town of Kettering, taken from the parish of Cranford.

B - Land in orange

land to be added to the parish of Barton Seagrave taken from the currently unparished area of Kettering.

C- Land in purple

land to be added to the town of Kettering taken from the parish of Barton Seagrave.

D - Land in yellow

land to be added to the parish of Barton Seagrave taken from the parish of Cranford.

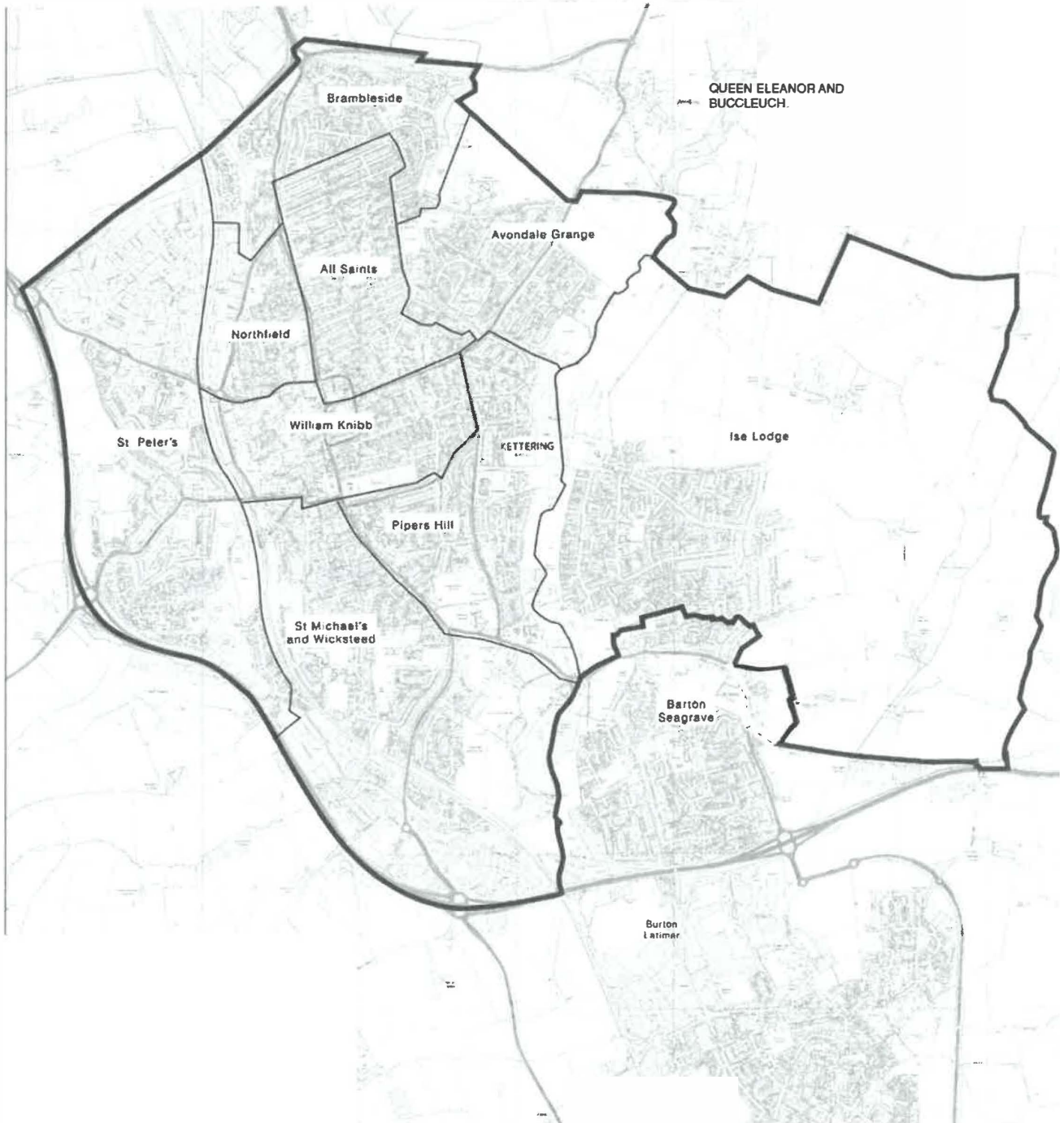
E- Land in pink

land to be added to the parish of Barton Seagrave, taken from the parish of Burton Latimer.

F- Land in blue

land to be added to the parish of Burton Latimer, taken from the parish of Cranford.

Map 2



Committee	COUNCIL	Item 10	Page 1
Report Originator	Bhupinder Gill Chief Legal Officer	<i>Fwd Plan Ref No:</i> -	
Wards Affected	All	23 rd September 2020	
Title	MEMBERS' ALLOWANCES		

1. PURPOSE OF REPORT

To seek endorsement of the recommendation of the Executive Committee in respect of the continuation of the current Members' Allowances Scheme.

2. INFORMATION

- 2.1 At its meeting on 16th June 2020, the Executive Committee considered a report which sought a recommendation to Council in respect of the current scheme of members' allowances, which was approved on 25th April 2018 following receipt of recommendations from the Independent Remuneration Panel.
- 2.2 A copy of the current Members' Allowances Scheme is attached at **Appendix 1** for information.
- 2.3 The Executive Committee recommends that the existing index inflator to the Scheme of Members' Allowances be continued until 31st March 2021 or until the vesting day for the North Northamptonshire Council, whichever is the later.
- 2.4 The existing index inflator is zero in accordance with the decision of the Council taken on 25th April 2018.

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.

Committee	COUNCIL	Item 10	Page 2
------------------	----------------	------------	--------

- If the existing index were to be applied there would be no change to the overall cost of Members' Allowances
- If Council decides 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

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, or, if it wishes to adopt a new index, an IRP must be appointed to review and report on a new scheme in accordance with the Local Authorities (Members Allowances) (England) Regulations 2003.

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.

6. RECOMMENDATION

That the existing index inflator to the Scheme of Members' Allowances be continued until 31st March 2021 or until the vesting day for the North Northamptonshire Council, whichever is the later.

BOROUGH OF KETTERING

Committee	COUNCIL	Item 10	Page 3
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Background Papers:

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

Contact Officer: Anne Ireson
01536 534398

Previous Reports/Minutes:

Standards
Advisory Committee
Date: 9.10.17

R & D Committee
Date: 4.4.18

Council – 25th April 2018

Executive Committee
16th June 2020

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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 1st April 2019

Amounts of Allowances (2018-19)

Basic Allowance (per annum)	5,394
Special Responsibility Allowance (per annum)	
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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Committee	COUNCIL	Item 11	Page 1 of 3
Report Originator	Martin Hammond Executive Director	<i>Fwd Plan Ref No:</i> -	
Wards Affected	All, but especially those with town centres in their ward.	23 rd September 2020	
Title	SEATS ON STREETS – PAVEMENT LICENCES		

1. PURPOSE OF REPORT

To ratify a decision taken by the Executive Committee on 8th July 2020 in relation to the transfer of responsibility for issuing pavement licences from highways authorities to district councils.

2. INFORMATION

- 2.1. Members will be aware that the Business and Planning Act 2020, which came into effect on 22nd July, temporarily transferred the responsibility for pavement licences from County Councils to District Councils for a limited period of time. A pavement licence enables pubs, restaurants and cafes to cordon off an area of the pavement for their exclusive use, as ancillary to their business. The intention of the legislation is to enable businesses to generate enough custom under social distancing rules to enable them to trade profitably, and the new arrangements apply until September 2021.
- 2.2 A report was submitted to Executive Committee on 8th July (attached as **Appendix 1**), ahead of the legislation completing all stages of its parliamentary progress, to ensure that arrangements were in hand as soon as the legislation was introduced. During the final passage of the Bill, the House of Lords amended the legislation to make this a licensing function of the Council rather than an Executive function.
- 2.3 Council is therefore asked to endorse the recommendations on the administration of pavement licences, as agreed by the Executive Committee on 8th July, so they can safely be applied to any appeal or enforcement process within the licensing regime.

3. CONSULTATION AND CUSTOMER IMPACT

- 3.1. Dialogue with Northamptonshire County Council took place about how highway considerations could be secured and taken into account in the limited time available. Further discussion has since taken place with other statutory consultees, eg the police.

BOROUGH OF KETTERING

Committee	COUNCIL	Item 11	Page 2 of 3
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4. POLICY AND RESOURCE IMPLICATIONS

- 4.1 This Council already has a policy in place which provides deemed planning consent for “seats on streets” through a 2018 Local Development Order, within a specific area of Kettering Town Centre. It has therefore adopted a positive approach towards enabling on-street extensions for food and drink sales.
- 4.2 This is a new function for the Borough Council, but it sits well alongside its other functions and fits in well with the town centre delivery plan.

5. LEGAL AND EQUALITY IMPLICATIONS

- 5.1. Ensuring the balance between use of the highway and the operation of a local business will be key to the success of this initiative, particularly for those with mobility issues or sight loss.

6. CLIMATE CHANGE IMPLICATIONS

- 6.1 A small net benefit will arise if people are more able to use their local town centres.

BOROUGH OF KETTERING

Committee	COUNCIL	Item 11	Page 3 of 3
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7. RECOMMENDATION

That the recommendations of the Executive Committee be approved as set out below:-

- (i) authority to determine and issue pavement licences be delegated to the Head of Public Services;
- (ii) a fee of £0 be applied to licence applications made in the 2020/21 financial year;
- (iii) a licence issued during 2020 be valid for 12 months from the date of issue or until September 2021, whichever was the longer;
- (iv) a licence approval include the Council's agreement to the proposed layout, the means of marking the boundary of the allocated space, associated signage, and the exact dimensions of the allocated space; and
- (v) it be noted that revocation of a licence by the Head of Public Services could occur if the premises were not adhering to licensing conditions, including those relating to social distancing, littering or anti-social behaviour.

Background Papers

Parliamentary Business and
Planning Bill
LGA Advice notes June 2020

Executive Committee minutes

Date: 8th July 2020
Contact Officer: M Hammond

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Committee	EXECUTIVE COMMITTEE	Item 14	Page 1 of 4
Report Originator	Shirley Plenderleith	<i>Fwd Plan Ref No:</i> A20/012	
Wards Affected	All, but especially those with town centres in their ward.	8 th July 2020	
Title	SEATS ON STREETS – PAVEMENT LICENCES		

Portfolio Holder: Cllr Mark Dearing

1. PURPOSE OF REPORT

To seek approval to a change to the scheme of delegation to enable officers to progress pavement licences, and to agree the terms on which licences will be issued.

2. INFORMATION

- 2.1. In the Business and Planning Bill, likely to be made law by 1st July, the government has proposed temporarily transferring responsibility for issuing pavement licences from highways authorities to district councils. A pavement licence enables pubs, restaurants and cafes to cordon off an area of the pavement for their exclusive use, as ancillary to their business. The intention is to enable businesses to generate enough custom under social distancing rules to enable them to trade profitably in future. The new arrangements apply until September 2021. Councils have a very short period of time to consider and determine an application, and an undetermined application is deemed to be approved.
- 2.2. This report is submitted because there are of course no arrangements or policy in place to govern officers' handling of applications, given that it has until now not been a district council function. The legislation implies that this is an executive function of the Council, not a Council or licensing committee function, so therefore, the responsibility for determining policy lies with this Committee.
- 2.3. This Council already has a policy in place which provides deemed planning consent for "seats on streets" through a 2018 Local Development Order, within a specific area of Kettering Town Centre, and has therefore, a positive approach towards enabling on-street extensions for food and drink sales. This order exempts those defined premises from the PSPO, which otherwise prohibits on-street consumption of alcohol. The bill otherwise gives deemed planning consent to any approved applications outside Kettering town centre.
- 2.4. The following issues need determining:

BOROUGH OF KETTERING

Committee	EXECUTIVE COMMITTEE	Item 14	Page 2 of 4
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- a) To delegate the responsibility for handling and determining applications to the Head of Public Services, so that we can respond to the very quick timetable for determining applications
- b) Determining the fee for an application – the legislation introduces a maximum fee of £100 for a pavement licence (significantly less than NCC were previously charging). At least two other authorities in the county are planning to charge the maximum fee possible. Members are asked whether they wish to make a charge or not, and if so, at what rate. If the objective is to support local business return to profitability, then in common with the Council's approach to market trading fees, a nil fee might be appropriate.
- c) Determining the length of a licence. It is proposed that any licence issued by the Council should be in place until September 2021 (or a lesser period if the applicants request one), which is when the function returns to the highway authority, although by then this will be same authority as the licensing authority. Suitably managed spaces – the applicant will need to show at the point of application, that they can manage the space being used and to agree layout with the Council before implementation. In turn, the Council will need to be satisfied that the proposed use does not unreasonably impede the highway and takes account of the needs of users, including prams, wheelchairs and cyclists, as well as pedestrians. The licence should be able to be revoked if the premises are not adhering to the requirements of the licence for example not using plastic drinks containers or if social distancing is not properly observed or if anti-social behaviour or other issues such as safety, littering or overall lack of management of the area become a problem.

3. CONSULTATION AND CUSTOMER IMPACT

- 3.1. Given the brisk timetable associated with the change in legislation, the only dialogue that has taken place has been with the county council about how highway considerations can be secured and taken into account in the limited time. Each licence application will be subject to a maximum of 7 days consultation when it is submitted. Further discussion with other statutory consultees, eg the police, will need to be developed in the next few days.
- 3.2 Officers are currently working to produce design principles that partners including the highways authority and the police support in an attempt to ensure that the applications from businesses are able to be processed as quickly as possible.

4. POLICY AND RESOURCE IMPLICATIONS

- 4.1 This is a new function for the Borough Council but it sits well alongside its other functions and fits in well with the town centre delivery plan.
- 4.2. Licenses will be managed by the Joint licensing Unit who are in the process of setting up systems to handle applications.

BOROUGH OF KETTERING

Committee	EXECUTIVE COMMITTEE	Item 14	Page 3 of 4
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- 4.3. Pavement licences will not be required on land which is not designated highway, eg the Market Place, but where similar principles might still be applied in allocating space.
- 4.4. There will be an – unknown – resource implication of this legislation, which will be a function of the number of applications made, and most work will be taken up by specifying the boundaries, layout and dimensions of the allocated space. Additional resource may be needed in managing and resolving arising issues.

5. LEGAL AND EQUALITY IMPLICATIONS

- 5.1. Ensuring the balance between use of the highway and the operation of a local business will be key to the success of this initiative, particularly for those with mobility issues or sight loss.

6. CLIMATE CHANGE IMPLICATIONS

- 6.1 A small net benefit will arise if people are more able to use their local town centres.

7. RECOMMENDATION

The Committee is recommended that:-

- a) Authority to determine and issue pavement licences is delegated to the Head of Public Services
- b) A fee of £0 be applied to licence applications made in the 2020/21 financial year
- c) A licence issued during 2020 should be valid for 12 months from the date of issue or until September 2021, whichever is the longer
- d) That a licence approval should include the Council's agreement to the proposed layout, the means of marking the boundary of the allocated space, associated signage, and the exact dimensions of the allocated space

Revocation of a licence by the Head of Public Services can occur if the premises are not adhering to licensing conditions, including those relating to social distancing, littering or anti-social behaviour.

BOROUGH OF KETTERING

Committee	EXECUTIVE COMMITTEE	Item 14	Page 4 of 4
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Background Papers

Parliamentary Business and
Planning Bill
LGA Advice notes June 2020

Date 30th June 2020
Contact Officer M Hammond

APPENDIX