

NORTHAMPTON TOWN COUNCIL

MINUTES OF THE ANNUAL COUNCIL MEETING AND MAYOR MAKING HELD AT THE COUNCIL CHAMBER, NORTHAMPTON GUILDHALL

Monday 17th May 2021 – 18.00

PRESENT: Councillor R Ashraf (Town Mayor);
Councillor D Meredith (Deputy Town Mayor)
Councillors: J Alwahabi, J Birch, N Choudary, R Connolly, G Eales,
T Eales, M Hallam, E Haque, S Hibbert, K Holland-Delamere,
F Ismail, P Joyce, A Kilbride, J Lane, L Marriott, T Miah,
B Purser, C Russell, D Soan, A Stevens, W Tarasiewicz

In attendance: S Carter (Interim Town Clerk),
R Walden (Acting Town Clerk),
J Thorneycroft (Administration Officer),
E Hawkins (Mayoral and Civic Officer), D Peach (Macebearer)

The Town Mayor welcomed members to the historic meeting highlighting that it was not only the first in person since the Covid 19 pandemic but also the first following the elections to the newly created Northampton Town Council.

The Town Mayor advised members of the Covid 19 protocol and also highlighted that the meeting was being recorded for historic record and broadcasted live on YouTube for those that could not attend due to the restrictions. The Town Mayor welcomed those watching the live stream stating that she looked forward to seeing them all in person soon.

1. ELECTION OF TOWN MAYOR

Councillor J Birch proposed that Cllr R Ashraf be elected as Town Mayor for the forthcoming municipal year. Cllr J Lane seconded this motion. In proposing and seconding Cllr Ashraf, both highlighted the work that Cllr Ashraf had undertaken in the community, her service on the former Borough Council and her heritage as a Bangladeshi Muslim. Also highlighted was her great work on the scrutiny committee at the former Borough Council and how she had worked with many different groups from across Northampton seamlessly.

Both councillors highlighted the historic significance of the role of the Mayor of Northampton, stating that it went back to 1215 making it one of the oldest Mayoralties in the country.

There were no further nominations.

RESOLVED: That Cllr R Ashraf be elected as Mayor of Northampton for 2021/2022.

Cllr R Ashraf read and signed the Declaration of Acceptance Office which was attested by the Interim Town Clerk.

In response to her election the Town Mayor thanks councillors Birch and Lane for their kind words, and her fellow councillors for electing her. The Town Mayor thanked her family for their support and confirmed that her husband Abu Ashraf would act as her Town Mayor's Consort. The Town Mayor highlighted her pride in being elected as the first Bangladeshi Muslim woman mayor of Northampton and echoed the sentiment with regards to the historic gravitas that came with the role. She confirmed that the Mayor's Chaplain would be Surendra Malhotra who was Chair of the Northampton Inter Faith Forum.

The Town Mayor reemphasised that the current social distancing measures prevented those that would normally take part in this ceremony from taking part, including Honorary Freemen and Freewomen, Honorary Aldermen and Hereditary Freemen and past Mayors, but she welcomed them all once again and stated that the Council planned to hold an event in autumn when conditions permitted at which she looked forward to meeting all these people.

The Town Mayor extended a welcome to the newly appointed Interim Town Clerk, Mr Stuart Carter and wished him every success. She also offered her sincere thanks to the Acting Town Clerk, Mr Richard Walden, who was leaving the Council and whose advice and knowledge had proved invaluable to both her and to the Council as a whole.

The Town Mayor confirmed that her charity would be Northamptonshire Domestic Abuse Service and that she would be planning events to raise money for them.

The Town Mayor once again thanked the council for this honour and reiterated her desire to uphold and preserve the traditions of this historic office.

2. ELECTION OF DEPUTY TOWN MAYOR

Cllr Hallam proposed that Cllr D Meredith be elected Deputy Town Mayor for the municipal year 2021/2022. Cllr Birch seconded this motion. Both highlighted the significant work Cllr Meredith had undertaken in the town over many years and noted his long service on the Borough Council. It was noted that Cllr Meredith was proud to live in Northampton and had recently been made a Freeman.

There were no further nominations.

RESOLVED: That Cllr D Meredith be elected as Deputy Mayor for the 2021/2022 municipal year.

Cllr Meredith read and signed his declaration of acceptance of office which was attested by the Interim Town Clerk.

3. APOLOGIES FOR ABSENCE

Cllr M Brown had submitted apologies.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. MINUTES

The minutes of the Meeting of the Council held on 29th March 2021 were circulated.

RESOLVED: That the minutes be approved and signed by the Town Mayor as a true and correct record.

6. MEMBERSHIP OF COMMITTEES

Councillor Birch proposed that the following councillors be appointed to the committees and sub-committees. Cllr Hallam seconded the motion.

RESOLVED: That the following serve on the committees and sub-committees for the 2021/2022 municipal year.

Planning Committee – 12 Members

Councillors Kilbride (Chair); Russell (Deputy Chair); Alwahabi, Chirisa, Choudary, Connolly, Haque, Ismail, Lane, Meredith, Purser and Stevens

Environmental Services Committee – 12 Members

Councillors Joyce (Chair); Hallam (Deputy Chair); Alwahabi, Ashraf, Brown, Choudary, Haque, Meredith, Miah, Soan, Stevens and Tarasiewicz

Community Services Committee – 12 Members

Councillors Birch (Chair); Holland-Delamere (Deputy Chair); Ashraf, Brown, G Eales, T Eales, Hibbert, Ismail, Lane, Marriott, Miah and Soan

Policy and Finance Committee – the Chairs and Deputy Chairs of the three other Standing Committees plus 8 other Members

Councillors Marriott (Chair); T Eales (Deputy Chair); Birch, G Eales, Chirisa, Connolly, Hallam, Hibbert, Joyce, Kilbride, Purser, Russell and Tarasiewicz

Accounts Sub-Committee (Chair of Policy plus 3 other Members

Councillors Birch, Hibbert, Purser and Marriott

7. REPORT OF EXECUTIVE COMMITTEE

The minutes of the meeting of the Executive Committee held 12 April 2021 were circulated for information and **NOTED**.

8. GENERAL POWER OF COMPETENCE

Circulated with the agenda was a report recommending the Council adopt the General Power of Competence. It was explained that this was a power of first resort and permitted town and parish councils to do anything that any individual was permitted in law to do (with a few exceptions). Prior to this, unlike principal councils, town and parish councils had limited powers. The General Power of Competence removed this but councils first had to meet certain criteria, these being at least two thirds of councillors elected and a qualified Clerk (defined as having obtained the

Certificate in Local Council Administration). Northampton Town Council met the criteria to adopt the General Power of Competence.

It was proposed by Cllr Birch and seconded by Cllr Hallam that Northampton Town Council adopt the General Power of Competence.

RESOLVED: That the Town Council meets the conditions and therefore adopts the General Power of Competence as prescribed in Article 2 paragraph 2 of the Parish Councils (General Power of Competence) prescribed Conditions) Order 2021 and as provided in the Localism Act 2001 ss1-8.

9. MEETINGS OF THE COUNCIL

It was proposed by Cllr Birch and seconded by Cllr Hallam that the scheduled meetings of the Council including committees as circulated be approved.

RESOLVED: That the schedule of meetings of the Council including committees for 2021/2022 be approved.

10. COMMITTEE MEETINGS – DELEGATION

Members had received a report explaining that the law permitting council and committee meetings to be held virtually expired on 6th May and the government advised that there was insufficient Parliamentary time to pass any necessary new primary legislation to enable the practise to continue.

A High Court action by Hertfordshire County Council supported by a number of professional bodies including the National Association of Local Councils and the Society of Local Council Clerks seeking a ruling that the definition of a meeting “place” referred to in the Local Government Act 1972 could today be interpreted as a meeting by virtual means, had not been successful. Accordingly, there was no longer any lawful authority to hold virtual meetings.

It was explained that this Annual Council Meeting was therefore being held without the usual invited guests in order to comply with social distancing rules and the Council’s own risk assessment. The various committee meeting rooms in the Guildhall, including this Council’s own committee room were, however, far more restricted in size and shape as to render in person meetings with public attendance facilities impossible to achieve within acceptable social distancing guidelines.

The report went on to explain that councils could lawfully delegate decisions to a committee, sub-committee or to an officer. An alternative form of governance which many local councils were employing at this time was to extend the delegated authority to their Chief Officer but to require that the exercise of this delegated authority to be taken in consultation with elected members. It was suggested that this Council could meet the objective of ensuring safe meetings while still engaging all appropriate councillors in the decision making process by adopting the following suggestion:

The Town Clerk could be given authority to take all decisions and make recommendations to full Council as would normally be exercised by committees and sub-committees but that this discretion be subject to full consultation with the members of the relevant committee. In practise the committee would meet virtually on the same day and time as provided in the agreed calendar of meeting, and consider the business through a specified agenda in the usual way. Decisions would however take the form of advice to the Town Clerk as to how he should exercise his delegated authority on the matter in hand. Public accountability could be maintained by holding all meetings using Zoom video conferencing and streaming their proceedings on to the Council's YouTube channel in the same way as the Council had been doing for the past five months. The timing of meetings and agendas of business to be transacted would be published in the usual way.

The Council's Solicitor, Roger Taylor of Wellers Hedleys, who were specialists in local council law, had advised; "The advice that is being issued by various bodies does not have the clarity that one would wish. In the circumstances we are advising a practical approach whilst endeavouring to keep within the general guidance. Your solution is being adopted elsewhere and we would advise that it is a practical solution to maintain the running and responsibilities of the Council".

It was explained that the matter could then be reviewed at each subsequent Council meeting until such time as in person meetings can again be held in person and also comply with social distancing rules.

It was proposed by Cllr Birch and seconded by Cllr Hallam that the scheme as detailed in the minute be agreed.

RESOLVED: (1) That the Town Clerk be delegated authority to take all decisions and where necessary to make recommendations to Council as normally reserved to Committees and Sub-Committees under the approved scheme of committee delegations
(2) That the Town Clerk exercise the above authority in consultation with the full membership of the relevant committee or sub-committee meeting by remote means at the same day and time as set out in the agreed calendar of meetings
(3) That a full report on all decisions and recommendations taken under this authority be presented to the next following Council meeting
(4) That the authority granted by this decision be reviewed at each subsequent Council meeting until such time as the Council is satisfied that in person meetings of all committees can be effectively be effectively held in accordance with prevailing social distance rules.

The meeting concluded at 18.27.

Cllr R Ashraf
Town Mayor