



NORTHAMPTON TOWN COUNCIL

Annual Council Meeting 17th May 2021

To: All Northampton Town Councillors

You are summoned to attend the Annual Meeting of Northampton Town Council to be held in the Council Chamber at the Guildhall, Northampton at 18.00 on Monday 17th May 2021 when the business set out below will be transacted. This meeting is open to the press and public but, due to Covid-19 restrictions, places will be extremely limited.

Accordingly the meeting is being filmed professionally and will be streamed live on the Council's YouTube channel https://www.youtube.com/channel/UCV05yv3KAy6022_1YC_kl6A

To reduce the potential for spreading coronavirus, Councillors and others attending this meeting are asked to abide strictly with the safety instructions set out at page 2 of these agenda papers.

Stuart Carter
Interim Town Clerk
11th May 2021

Guildhall
Northampton
NN1 1DE

A G E N D A

1. Election of Town Mayor

Councillor Birch will propose and Councillor Lane will second: That Councillor Rufia Ashraf be elected Town Mayor of Northampton for the ensuing Municipal Year.

Upon election Councillor Ashraf will make the Statutory Declaration of Acceptance of Office and then address the Council. She will be advising that Mr xxxx Ashraf will be acting as Town Mayor's Consort during her term of office and that, she will be appointing Surendra Malhotra to act as her Mayor's Chaplain, Chair of the Northampton Interfaith Forum, who will be leading the Council in prayer at the start of future meetings.

2. Election of Deputy Town Mayor

Councillor Hallam will propose and Councillor Birch will second: That Councillor Dennis Meredith be elected Deputy Town Mayor of Northampton.

Upon election the Deputy Town Mayor will make the Statutory Declaration of Acceptance of Office.

3. Apologies for Absence

4. Declarations of Interest

5. Minutes

To authorise the Town Mayor to sign the Minutes of the Meeting of the Council held on 29th March 2021 as a true and correct record of the proceedings (see page 4).

6. Membership of Committees

Councillor Birch will propose and Councillor Hallam will second: That the following Councillors be appointed to the Committees and Sub Committees indicated:

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, Holland-Delamere and Marriott

7. Report of Executive Committee

To receive the report of the meeting of the Executive Committee held on 12th April 2021 (copy enclosed at page 10)

8. General Power of Competence

To consider the adoption of the General Power of Competence – report of Acting Town Clerk (copy enclosed at page 17)

9. Meetings of the Council

To agree the dates for meetings of the Council and its Committees in 2021/22 as set out on page 18.

10. Committee Meetings

To consider delegating matters to the Town Clerk after consultation with Members of the various Committees so that these can continue to meet virtually (report of Acting Town Clerk enclosed at page 20)

Northampton Town Council

Annual Council Meeting 17th May 2021

Covid – 19 Protocols

The law which permitted Council meetings to be held remotely expired on 6th May 2021 and has not been renewed. Accordingly, all meetings must now be held in person in public. The Council is, however, fully aware of the ongoing threat of possible transmission of coronavirus and accordingly asks all Councillors and other persons attending this meeting to kindly observe strictly the following protocols.

To ensure the Council Chamber is laid out in an appropriate socially distanced manner, space for press and members of the public will be severely limited. The meeting is therefore being filmed professionally and streamed live on the Council's Youtube channel and will be available to view subsequently.

1. No person should attend the meeting if they are feeling unwell or are displaying COVID 19 symptoms
2. On arrival, please take your temperature and leave if unwell
3. On arrival please sign in for test and trace purposes, either using the QR code or completing the form provided.
4. Use the shortest and most direct route to the Council Chamber and limit movement around the building
5. Use hand sanitiser provided and wear a facemask whilst walking round the building
6. Councillors will be robed for the meeting and accordingly are asked to arrive in timed groups of no more than five. Staff will be on hand at the entrance to the Guildhall to direct Councillors to the robing room where social distancing of at least two metres must be maintained.
7. Once robed councillors are asked to move directly to the Council Chamber where each will have an allocated seat in a special layout which will ensure social distancing is maintained.
8. Once seated please remain in your seat and try and avoid mingling with others or making contact with other surfaces.
9. The toilets in the Guildhall will be open, but attendees are advised to use the toilet before they leave home, in order to reduce contact points and the chances of coming into close contact with others in a confined space.
10. The windows in the Council Chamber will be open throughout the meeting, in order to allow clean air to circulate.
11. Should any person attending the meeting need to cough or sneeze, they should do so into a tissue which they should then take home. If a tissue is not to hand, the inside of the arm should be used.
12. All persons should take home all litter and not leave items which others will have to touch to dispose of.

NORTHAMPTON TOWN COUNCIL
MINUTES OF THE COUNCIL MEETING

Monday 29th March 2021

PRESENT: Councillor Ashraf (Chair); Councillor Meredith (Deputy Chair); Councillors Ansell, Birch, Hallam, Haque, Hibbert, J Hill, Joyce, Lane, B Markham, Marriott, McCutcheon, Russell, Smith and Stone.

In attendance: Mr R Walden (Acting Town Clerk), Mrs J Thorneycroft (Administration Officer, Ms E Hawkins (Mayoral and Civic Officer; Mr L Gould, (Northampton Borough Council); Mr D Moody and Dr L Sambrook-Smith (NorthantsCALC)

The Chair started the meeting by congratulating Councillors Penny Flavell, Jamie Lane, Brian Markham, Les Marriott and Dennis Meredith on their recent appointment by the Borough Council as Honorary Aldermen.

She also welcomed to the meeting Julie Thorneycroft, who started work with the Council the following Thursday as the new Administration Officer and also Lizzie Hawkins the Civic and Mayoral Officer who had also transferred to the Council's staff on Thursday.

1. APOLOGIES FOR ABSENCE

Councillor Duffy

2. MINUTES

The minutes of the previous meeting held on 1st March 2021 were agreed as a true and accurate record of the meeting.

3. DECLARATIONS OF INTEREST

There were none.

4. TRANSFER OF ASSETS AND SERVICES

(a) Guildhall

The Acting Town Clerk reported that, following discussions arranged by the Borough Council's Cross Party Working Group with West Northants Council (WNC) concerning this Council's desire to be granted a long lease of the historic part of the Guildhall, WNC had concluded there was insufficient time to conclude a lease of the nature desired. In order to facilitate the inception of the Town Council and ensure proper access for all parties, officers of WNC had presented formal proposals for a licence to occupy part of the premises as follows:

- Exclusive use of the Mayoral Suite and ground floor offices as previously discussed and a parking space for the Mayoral Car
- Shared access to the ground floor kitchen on an informal basis
- Shared access to meeting rooms and other civic areas via a booking system managed by WNC
- Pre-booking of the Council Chamber guaranteed for Council Meetings

Councillor Adam Brown the WNC portfolio holder for property and assets had further advised that work on a suitable lease to meet the Town Council's mid-term and long-term needs would start as soon as workloads of WNC officers allowed. WNC hoped to enter into these negotiations in a friendly and cooperative spirit with the aim of ensuring that the Guildhall remains a valuable part of civic life for all residents of Northampton.

The Town Clerk presented the draft Heads of Terms for a Licence to Occupy part of the Guildhall as outlined in a plan submitted to the meeting.

It was proposed by Councillor Birch, seconded by Councillor Marriott and

RESOLVED: (i) that the Council accepts the proposed license to occupy of parts of the Guildhall as indicated, as a temporary measure to enable negotiations to be concluded with West Northants Council on medium and long term solutions.

(ii) That the Town Clerk be authorised to enter into the License to Occupy on behalf of the Council.

(b) Transfer of Mayoralty and Civic Regalia

The Town Clerk reported that the Borough Council at its meeting on 22nd March 2021 had agreed the following:

- The formal transfer of the Borough Mayoralty and all its associated duties and offices to the Northampton Town Council on 1st April 2021.
- That all items in the enclosed list presented to the Council be transferred from the Borough Council to the Northampton Town Council with effect from 1st April, 2021

- That delegated authority be given to the Chief Executive to enter into an appropriate agreement between Northampton Borough Council and the Northampton Town Council to ensure the future safekeeping of all monuments/artefacts listed in the report.
- The Chief Executive be given delegated authority in consultation with the Cross Party Working Group to determine the continuing role of the Offices of Civic Dignity and the Roll of Honorary Freedoms and any other matters relating to such offices and their functions with the intention that all such offices, civic relationships etc will be transferred to the Northampton Town Council on 1st April 2021
- To continue to explore and assuming it can be legally enacted, agree the transfer on 1st April, 2021, or a reasonable date thereafter, of the Honorary Recorder role from Northampton Borough Council to the Northampton Town Council subject to all formal legal matters by statute being concluded, and any necessary discussions with the West Northamptonshire Council as to any involvement they may wish to have in the honorary role.

The Town Clerk presented the draft of the proposed Agreement referred to above which included the following provisions:

1. conserving the Assets for the benefit of the local communities of the Unitary Councils to support the mayoralty and heritage of Northampton;
2. keeping the Assets in good condition and repair. This shall include but not be limited to:
 - 2.1 implementing a planned programme of repairs and maintenance; and
 - 2.2 commissioning regular (no less than five-yearly) professional condition surveys to inform repair and maintenance of the Assets;
3. maintaining adequate insurance in respect of the Assets;
4. the Town Council is not permitted to assign (which shall include, without limitation, transferring, conveying, selling or otherwise disposing of) the whole or any part of the Assets without the prior consent of West Northamptonshire Council in writing.

It was proposed by Councillor Birch, seconded by Councillor Marriott and

RESOLVED: That the Chair and Vice Chair be authorised to sign the Agreement referred to above on behalf of the Town Council to ensure the preservation and conservation of the civic regalia.

(c) Transfer of Festivities, Events and Northampton in Bloom

The Town Clerk reported that arising from on-going discussions between officers and councillors from this Council, West Northants and the Borough Councils, the West Northants Executive Committee (WNEC) had agreed that the budget for the following activities and services be transferred to this Council on a tapered basis over three years:

- Fireworks
- Christmas Lights and Activities
- Diwali
- Bands in the Park
- Music Festival
- Northampton in Bloom
- Other minor events

The budgets referred to were based upon the Borough Council's expenditure for these activities in 2019/20. He recalled that when this Council had set its own budget for 2021/22 it had included a contingency sum for enhancing or extending services which may be transferred from the principal councils.

In a separate matter, he recalled that the Town Council had no initial funds and the first instalment of its 2021/22 precept would not be received until the end of April. Some set up funding would therefore be needed early in April to enable the Council to be able to pay a number of invoices and staff salaries which will be paid on the 20th day of each month. Having discussed this matter with the Director of Finance at the Borough Council, I was pleased to advised that the Cabinet had agreed to make a grant to the Town Council in the sum of £80,789. This was calculated under a formula relating to precept and council tax base which allowed proportionate grants to made to Kingsthorpe Parish and Far Cotton Community Councils. The sum was more than sufficient for the above purposes and would also be utilised to promote Covid-19 awareness and additional costs incurred in connection with Council's response to the pandemic.

It was proposed by Councillor Birch, seconded by Councillor Marriott and

RESOLVED: (i) That the Council accepts the transfers proposed by West Northants and authorises the Acting Town Clerk to conclude any necessary agreement relating thereto

(ii) That the Executive Committee be authorised to approve any enhancements to the transferred events and activities considered desirable in 2021/ 22 from the contingency budget for that year

(iii) That the receipt of a set up grant from the Borough Council be welcomed

5. REPORT OF THE EXECUTIVE COMMITTEE

Councillor Birch proposed and Councillor Marriott seconded that the report of the Executive Committee held on 15th March 2021 be received and endorsed and that the recommendations contained therein be adopted.

Upon being put to the vote it was

RESOLVED: The report of the Executive Committee held on 18th February 2021 be received and endorsed and that the recommendation contained therein be adopted

6. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That, in view of the confidential nature of the business to be transacted, the press and public be excluded from the remainder of the meeting

7. APPOINTMENT OF TOWN CLERK – REPORT OF THE EXECUTIVE COMMITTEE

The Committee at its last meeting had noted that Marion Goodman had advised that she was unable to take up the offer of her appointment as Town Clerk and Responsible Financial Officer for personal family reasons.

The Acting Town Clerk then recalled that the Borough Council had entered into a contract with the Northants County Association of Local Councils (NCALC) for supporting the creation of the new Town Council and the provision of an Acting Town Clerk and Responsible Financial Officer. That contract would expire on 31 March 2021 and it had always been intended to report to this meeting on a proposed short term continuation of that contract as necessary to support the new Town Clerk up to and including the Annual Council Meeting on 17 May 2021.

The Committee then reviewed a range of options and concluded that, in order to enable councillors elected on 6th May to review the terms and conditions of the Town Clerk post and to have ownership of the section process, it was preferable to appoint an Interim Town Clerk for a period of 12 months.

The Chief Executive of NCALC, Danny Moody, anticipating that the Council might approve the Committee's recommendations, had reported on the interest the NCALC team had identified in an interim position.

RESOLVED:

- (1) That the Council is saddened to note that, for personal and family reasons, Marion Goodman is unable to take up the offer of appointment as Town Clerk and all councillors extend to Marion their very best wishes for the future.

- (2) That the contract between Northamptonshire County Association of Local Councils (NCALC) and Northampton Borough Council for supporting the creation of the new Town Council and the provision of an Interim Town Clerk and Responsible Financial Officer (RFO) be continued for a further 12 months as follows:
- (a) For total of 20 days (out of 30 working days) from 1 April 2021 to 17 May 2021 including the continued provision of Richard Walden as Acting Town Clerk;
 - (b) From 18 May 2021 until 31 March 2022 or such later time as a permanent Town Clerk takes up their employment.
- (3) That the existing Town Clerk Appointments Panel (Councillors Birch, Hibbert, B Markham, Marriott and Russell) be authorised to decide the final details of the interim arrangements at (2b) above under that contract including the appointment of an Interim Town Clerk.

The meeting concluded at 19:04

Chair

NORTHAMPTON TOWN COUNCIL

EXECUTIVE COMMITTEE

Monday 12th April, 2021

PRESENT: Councillor Birch (Chair); Councillor Marriott (Deputy Chair); Councillors Hibbert, Lane, B Markham, McCutcheon and Russell

In attendance: Councillors Ashraf with Mr R Walden (Acting Town Clerk), Mrs J Thorneycroft (Administration Officer), Ms E Hawkins (Civic and Mayoral Officer); Mr D Simpson (West Northants Council)) and Dr L Sambrook-Smith (Northants CALC)

1. APOLOGIES FOR ABSENCE

There were none.

3. DECLARATIONS OF INTEREST

There were none.

3. MINUTES OF LAST MEETING

The minutes of the previous meeting held on 15th March 2021 were agreed as a true and accurate record.

4. TRANSFER OF FESTIVITIES AND EVENTS

(a) Transfer Agreement

The Acting Town Clerk recalled that West Northants Council (WNC) had agreed to transfer to this Council responsibility for managing the following festivities and events:

- Fireworks
- Christmas Lights and Activities
- Diwali
- Bands in the Park
- Music Festival
- Northampton in Bloom
- Other minor events

The former Borough Council's budget for this service was also being transferred on a tapering basis over three years. The grant to be paid in 2021/22 was £321,640 which included £37,000 being the full cost of one staff member, who was spending over 75% of their time on these matters and would be liable to a TUPE transfer to this Council. There were two other WNC staff who currently spent respectively 20% and 30% of their time on the activities so are were not liable for transfer. A full breakdown of the transferred budget was presented.

The transfer was subject to a formal agreement with WNC which was currently being negotiated but he reported that the following provisions had already been agreed:

- The grant could only be expended on the defined festivities, expenditure could be audited by WNC and any funds not expended would be returned to them.
- Until the Agreement was finally concluded, staff at WNC would continue to manage the festivities in the usual way and any expenditure committed in that time would be deducted from the grant.
- The stock of festive lights and fittings would transfer to the Town Council and a licence to continue to occupy the current storage at St John's Street Car Park initially until 31st March 2022 was being prepared.
- The Agreement did not include any licence to hold events on WNC land for which permission would have to be sought in advance.
- Hanging planters and barrier baskets were currently stored at the West bridge depot and NTC would need a licence to continue this arrangement in future.

RESOLVED: That the Acting Town Clerk be authorised to conclude the agreement with WSN.

(b) Enhancement of Events

The full Council had authorised this Committee to agree to the enhancement of all or some of the events this coming year from the contingency budget already agreed for this purpose. Mr Derrick Simpson, WNC's Town Centre Manager, who had had responsibility of these matters for many years, was welcomed to the meeting to advise members on potential enhancements.

It was noted that the transferred budget was the actual sum included in the former Borough Council's draft budget and did not include £26,000 additional money spent in 2019 on Christmas lighting etc. Having regard to the potential to restore the Christmas budget to the full amount and to meet additional staff costs of £37,000, the Committee agreed that a further enhancement of £52,500 would be appropriate. This made a total contribution of £113,00 from the Town Council. Allowing for the tapering nature of the grant, it was agreed this contribution be met from the current contingency budget. There would be no resultant requirement for any increase in the existing precept for this purpose for the next four years. The balance of the contingency would still be available to allocate as part of further service devolution deals which may be agreed with WSN later in the year.

Mr Simpson then provided information on a number of enhancement options which were debated.

RESOLVED: That the WNC Town Centre Manager be requested to prepare detailed proposals for the following enhancements which the Town Clerk be delegated to approve after consultation with the Town Mayor and the Chair of this Committee:

Fireworks: £7,500 enhancement to include for a spectacular finale and additional LED screens and cameras to spread along the Racecourse either side of the stage area, including the catering area to enable visitors to watch the pre-firework stage entertainment and show video clips.

Christmas Lights: £15,000 enhancement to include additional free standing illuminated attractions, a moving light show on the Guildhall (subject to the consent of WSN) plus additional street entertainers during the period up to Christmas. (A suggestion of a short firework display from the top of the Grosvenor Centre Car Park to make the lights switch-on did not find favour with the Committee)

(c) Northampton in Bloom Planting Displays

Orders had already been placed with Veolia/ Ideverde for the maintenance, filling and planting of all containers and then maintaining and watering them from June to September inclusive before return to the depot. Arrangements for judging community contributions to Bloom and a suitable presentation ceremony, usually at the Guildhall, still had to be agreed.

The Committee felt that enhancing the public contribution to Bloom was a very effective way of announcing to the Town Council's arrival to its constituent communities. There was, however, insufficient time to prepare an agreed scheme and obtain competitive quotations. It was therefore concluded that the best available and most effective solution would be to extend the existing contract with Ideverde, whose division, Plantscape, could provide on a rental basis a wide range of containers already planted up for maximum impact. This would then provide the Council with the time to evaluate whether it wished to purchase the planters for the future and add them to its stock of containers.

All Members of the Council had been invited to put forward suggestions of locations which would benefit from additional summer planting and the type of planting they would prefer. The aim was that it might be possible to achieve some form of enhancement in most council wards. Eight Councillors had submitted suggestions and these were considered. It was felt that such an initial approach would provide an immediate impact but would also allow the Council the opportunity to give more measured consideration to future years' schemes in consultation with all relevant local community groups. WSN had advised that Mr Simpson would be able to process all requests for its consent to planters on highways or greenspaces.

RESOLVED: That an officers team comprising Julie Thorneycroft (NTC), Alan McGregor (Ideverde Plantscape) and Paul Townsend (West Northants Council) be allocated an enhancement budget of £30,000 (£20,000 for new planters, hanging baskets etc and £10,000 for installation costs and watering) and be authorised to determine, following site inspections, the most advantageous method of providing impactful new planting throughout the town including approximately £1,000 of items in the ward of each Councillor who had put forward detailed suggestions.

5. ESTABLISHMENT OF THE COUNCIL OFFICES

The Acting Town Clerk reported on all necessary arrangements which had been undertaken to prepare for the Council's office accommodation at the Guildhall including a new telephone and IT system and accountancy software. Unfortunately, broadband was not available to the designated area and would need to be installed separately and this will involve some further accommodation works. Further, since the quotes for the necessary works had been accepted by the Council it had become clear that the staff team would have to work from home for the time being and further equipment including laptops and remote access to the phone system had had to be arranged as an extension to the agreed contract with Horizon. They will also be installing dedicated high speed broadband to the Guildhall. These extra works were being undertaken through his current delegated authority. However, now that the new staff team had started work, further equipment and software had been identified which would ensure the efficient and effective operation of the organisation. Details of all such equipment was circulated.

RESOLVED: That the action taken to date by the Town Clerk be endorsed and he be authorised to complete all other office furniture and equipment requirements to be funded from the contingency budget for furniture and equipment to ensure the effective establishment of the Council and its staff in the Guildhall offices and whilst working from home.

6. PAYMENT OF ACCOUNTS

RESOLVED: That the following accounts be approved for payment:

£

Members of staff	<i>Salaries, NI, Tax, Pensions and payroll for April, 2021</i>	11,315.93
2commune Ltd	<i>website hosting, license</i>	522.00
BHIB Limited	<i>Insurance Renewal</i>	5,020.41
BHIB Limited	<i>Mayoral vehicle policy</i>	2,212.01
Horizon Telecom Ltd	<i>3 x Asus ExpertBook notebooks</i>	2,217.60
John Roan Photography	<i>Photography Mayor & Deputy</i>	145.00
Microshade Business Consultants Ltd	<i>Consultancy March 2021</i>	330.00
Microshade Business Consultants Ltd	<i>Mthly Host Fees & set up costs</i>	1,081.74
Northants CALC Ltd	<i>Membership and Internal Audit 2021/22</i>	8,107.22

7. FINANCIAL RISK ASSESSMENTS

It was noted that the Council was required to undertake a variety of financial risk assessments and the Finance Advisor had supplied drafts of all documents he believed to be necessary.

RESOLVED: That the Town Clerk be authorised to approve and publish these as appropriate in consultation with the Chair of the Committee

8. APPOINTMENT OF INTERIM TOWN CLERK

As authorised by the full Council on 29th March 2021, the Appointments Panel had met on 6th April 2021 and had interviewed three candidates identified by NCALC as potential Interim Town Clerks. A fourth candidate had withdrawn their application prior to the meeting.

At the start of their interview candidates gave a presentation of what they perceived would be their top priorities if offered the position.

It was noted that the Panel had unanimously agreed that, subject to the receipt of satisfactory references, Stuart Carter, BA Hons, CiLCA, currently Town Clerk with Evesham Town Council and previously Town Clerk with Marlow Town Council, be offered the position of Interim Town Clerk on a 12 months' contract expiring on a date to be agreed in May 2022 on the previously approved terms and conditions of appointment.

Note: Mr Carter had subsequently accepted the offer and had started his duties on 10th May 2021. His contract would accordingly expire on 9th May 2022.

9. OCCUPATION OF PART OF THE GUILDHALL

The Acting Town Clerk reported on discussions with West Northants Council (WSN) on the detailed content of the Licence to occupy part of the historic section of the Guildhall.

The licence fee was based upon rental figures for 2019-20 plus a service charge and equated to £23.72 per square foot making a total of £64,638.00 for the current year. This compared favourably with local serviced office space rentals which could be up to £35 per square foot. There would be a 3% increase in each of the next two years. The Town Council would be occupying approximately a third of the total floor space of the historic part of the

Guildhall so the total equated proportionately to the £180,000 contingency figure for the whole of the historic area included in the Council's draft budget.

The Licence provided for exclusive use of the demised areas including the Mayoral Suite and offices previously occupied by NBC Leadership and political parties. WNC will be providing the following services: External and internal repairs and decorations, Building Statutory Compliance, Non-domestic business rates, Buildings insurance and landlord fixtures and fittings (including office furniture as required but not IT hardware), Fire and burglar alarms. General Guildhall Security and CCTV, Initial Access Passes, Gas/electricity/water charges, Caretaking, Heating, Daily Cleaning including toilet supplies and Refuse collection.

The extent of underground car parking which could be made available, especially for evening meetings, was being investigated and would depend upon the requirements of WNC which had not yet been finalised.

He advised that the room previously known as the Investors Suite was of a high modern standard and could provide suitable boardroom standard accommodation for all Town Council committee and sub-committee meetings including for space for press and public. The Council would have exclusive use of this room so it would therefore not be necessary to rent additional meeting rooms apart from the Council Chamber for full Council Meetings. WNC would be able to supply large TV monitors for displaying plans at Planning Committee meetings and other necessary occasions.

The Committee agreed that this room would in future be known as the Town Council Committee Room. The room did though have a raised skylight roof which was due for repair and so would be unavailable for up to three months (the same applied to the room formerly the Judges Retiring Room). During this time the Town Council could have access to other meeting rooms in the Guildhall without additional charge.

Following concerns expressed by Councillors at the last Council meeting and subsequently, the following points have been clarified:

- The toilet adjacent to the former Leaders' Office was included in the demise making a total of 5 toilets.
- There would be shared use of the kitchen off the Court Room with the Town Council having dedicated storage and refrigerator space

- The door leading from the rear of the Court Room could only be opened by security pass except when activated by the fire alarm.
- When the Council Chamber was being hired by third parties, Guildhall Officers would be on hand to facilitate the event and would not permit guests onto the rear staircase which led down to the Town Council demise.

RESOLVED: That the Town Clerk be authorised to instruct the Council's legal advisor to conclude the Licence as indicated above.

Northampton Town Council

Council Meeting 17th May 2021

General Power of Competence – report of Acting Town Clerk

Recommended: That the Town Council declares that it meets the conditions, prescribed in Article 2 paragraph 2 of The Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012 (SI2012/965), and hereby resolves to adopt the General Power of Competence as provided in the Localism Act 2011 ss1-8.

Parish Councils generally have very limited powers compared to principal councils such as West Northants. However, the Localism Act 2011 introduced a new power for town and parish councils known as the General Power of Competence. This allows councils to do anything which any individual is permitted in law to do. Further they can do it for a commercial purpose with or without charge and do anything for the benefit of the authority, its area or its inhabitants. There are some restrictions on the power – where an activity is done for a commercial purpose, it must be done through a company.

To be eligible to exercise this important power, a council must have at least two thirds of its councillors elected and it must have a qualified Clerk, which is defined as holding the Certificate in Local Council Administration or equivalent. Clearly the Council meets the electoral test and the Interim Town Clerk is appropriately qualified.

The Town Council is therefore recommended to approve the declaration set out at the top of this report. This declaration will then have effect until the Council's Annual Meeting 2023.

Northampton Town Council

Calendar of Meetings

Meeting

2021

Annual Meeting (Mayor Making)	17th May
Town Electors' Meeting	24 th May
Planning	26th May
Policy and Finance	7th June
Environmental Services	16th June
Community Services	21st June
Planning	28th June
Policy and Finance	5th July
Council	19th July
Planning	26th July
Planning	18th August
Environmental Services	6th September
Planning	13th September
Community Services	20th September
Policy and Finance	4th October
Planning	11th October
Council	25th October
Policy and Finance (budget principles)	8th November
Planning	15th November
Environmental Services (budget)	22nd November
Community Services (budget)	8th December
Planning	16th December

2022

Policy and Finance (budget recommend)	10th January
Planning	17th January
Council (budget)	24th January
Environmental Services	7th February
Planning	16th February
Community Services	21st February
Policy and Finance	28th February
Planning	14th March
Council	21st March
Planning	28th March
Environmental Services	4th April
Planning	6th April
Community Services	11th April
Easter	18th April
Policy and Finance	25th April
Council	9th May
Town (Electors') Meeting	9th May
Annual Meeting (Mayor Making)	16th May

Northampton Town Council

Annual Council Meeting 17th May 2021

Delegation of Committee Functions – report of Acting Town Clerk

Purpose of report: To consider a lawful manner for the Council to make decisions by remote means whilst Covid-19 restrictions make face to face committee meetings impractical.

Recommendations: (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 held in accordance with prevailing social distancing rules.

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 Herts 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, was not successful. Accordingly, there is no longer any lawful authority to hold virtual meetings. This Annual Council Meeting is 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 are, 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.

Councils can lawfully delegate decisions to a committee, sub-committee or to an officer. An alternative form of governance which many local councils are employing at this time is to extend the delegated authority to their Chief Officer but to require that the exercise of this delegated authority is taken in consultation with elected members. It is 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 meeting though Zoom and streaming their proceedings on to the Council's YouTube channel in the same way as we have been doing for the past five months. The timing of meetings and agendas of business to be transacted will be published in the usual way.

The Council's Solicitor, Roger Taylor of Wellers Hedleys, who are specialists in local council law, has 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".

If the Council agreed that this is an acceptable way forward it is invited to adopt the recommendations set out at the top of this report. The matter can 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.