

**NORTHAMPTON TOWN COUNCIL  
POLICY AND FINANCE COMMITTEE**

**Minutes of the meeting held at 18.10 on 14<sup>th</sup> June 2021  
in the Council Chamber at Northampton Guildhall**

**PRESENT:** Cllrs Marriott (Chair), T Eales (Vice-Chair), Brown, Birch, G Eales, Connolly, Hibbert, Holland-Delamere, Joyce, Purser, Russell, Tarasiewicz.

Also present were Cllrs Alwahabi and Soan.

In attendance: Mr S Carter (Interim Town Clerk)

Before formally starting the Chair welcomed everybody to the first meeting of the Policy and Finance Committee and asked that everybody introduce themselves and say what ward they represented.

**1. APOLOGIES**

Apologies had been submitted by Cllr Hallam.

**2. DECLARATIONS OF INTEREST**

None.

**3. REPORTS FROM THE ACCOUNTS SUB-COMMITTEE**

The Minutes of the Accounts Sub Committee meeting held on 10 May 2021 were attached to the agenda and considered. The Town Clerk informed the committee that this sub-committee had delegated authority to approve payments on behalf of the Council. It also scrutinised expenditure and monitored the budgets. In response to a question the Clerk confirmed that the Council was VAT registered and could therefore reclaim any eligible VAT payments. The minutes were presented to this committee for information. The minutes were **NOTED**.

The Minutes of the Accounts Sub-Committee held 14 June 2021 were tabled and considered. The Clerk was asked to provide an annual cost for the Mircoshade contract for a future meeting. It was commented that the amount spent on streaming the Mayor making was high. In response, the Clerk said that though he was not part of this decision making, the meeting was considered important, it being the first of the new Town Council, and that the covid pandemic prevented the public being present despite them having a legal right to do so. Some sort of streaming was necessary both for public access and for future posterity and it needed to be of a quality to reflect this. The minutes were **NOTED**.

**4. TRANSFER OF SERVICES AND RELATED MATTERS**

Circulated with the agenda was an update on the progress as to the transfer of services following a meeting with Simon Bowers from WNC. The Chair went through the report item by item.

On the transfer on Civic Regalia and Muniments, the committee expressed their disappointment with the delays and what appeared to be back tracking by the newly formed West Northants Council (WNC). The former Northampton borough Council (NBC) had agreed to the transfer and it had been minuted accordingly but WNC were challenging this. The Acting Town Clerk had been asked to get quotes to value the muniments and civic regalia and to share this with WNC. This had been passed to the Interim Town Clerk to action.

The situation regarding the Mayoral Car and personalised number plate were similar to those of the regalia and muniments. The value of the number plate specifically had resulted in WNC challenging the decisions to transfer it to the Town Council. It was questioned whether there was a charge to have the car stored at St Johns Car Park and why it was not parked at the Guildhall. It was explained that there was a secure space for the car at St Johns Car Park and that security were on hand at all hours for the Mayor, where the chains of office could be deposited and held securely in a safe, a facility which was not available at the Guildhall. At present it was understood there was not a cost for parking the car at St Johns Street Car Park.

Moving on to offices of Civic Dignity and Civic Protocols, it was anticipated that WNC would grant a licence to the Town Council to continue this as the Town Council did not have specific powers to undertake many of these duties. The creation of a Civic Matters Sub Committee would assist with this.

The Clark informed the committee that at present the Council still had no formal lease for their part of the Guildhall. This had been chased a number of times with WNC. The heads of terms had been agreed but no lease had been forthcoming. Mr Bowers had stated that he would chase this up with the WNC legal department. It was understood that the Town Council's desire to take over the old part of the Guildhall was unlikely at present as Mr Bowers explained that WNC planned to use the Chamber and associated meeting rooms. Again, members expressed dissatisfaction with WNC's intentions regarding the historic part of the Guildhall, given that there was an understanding that both parties would work towards it being handed over to the Town Council. In response to a question it was confirmed that the Town Council had to pay for room hire, for example use of the Chamber was chargeable. However, it was also noted that the Town Council had budgeted for use of the whole hall, but that the charge for its demise was considerably less so there was likely to be a surplus.

The Transfer of events had progressed further. Heads of Terms had been agreed and the Council were awaiting further information from WNC on the budget and also the officer that was to be TUPEd. A further report would shortly be presented to the Community Services Committee.

With regards to closed churchyards there was a view that this would be considered later as the maintenance of them was under a long-term contract managed by WNC. Discussion on this would therefore be deferred until the contract was due for renewal.

Allotments had been transferred as part of the document creating Northampton Town Council with 8 sites being transferred. Utility costs were the responsibility of NTC but maintenance and management of the sites was retained by Ideverde as part of their contract with WNC. In turn Ideverde retained the income from the allotments. WNC had been asked to draft an agency agreement.

Finally regarding Bloom, it was reported that WNC would be providing a full breakdown of which precise planting schemes were included with the budget proposed for transfer. As 90% of the total planting budget was being transferred WNC would be advising where the remaining budget was spent outside the area of the Town Council. NTC could then consider if it could provide a more efficient total service in conjunction with the relevant parish council.

The report was **NOTED**.

#### **5. NORTHAMPTON TOWN COUNCIL LOGO – PROPOSED PROCESS**

Circulated with the agenda was proposed process regarding the development of a logo for the Town Council. It was explained that officers were of the opinion that a logo was necessary for corporate documents and publicity and to distinguish the newly created town council. The report proposed the establishment of a working group to develop a logo in consultation with local historians and interested parties.

There was some scepticism from members about the need for a logo and the cost that this may incur. It was also highlighted that the Town Council had the perfect logo in the form of the coat of arms. Some members also cited the underwhelming WNC logo. The Clerk confirmed that it was hoped costs would be minimal but that either way, a high resolution version of the coat of arms would be required which would incur a cost.

**RESOLVED:** That a small working group of four people including the Chair of the Committee be created to investigate the cost and feasibility of a corporate NTC logo and report back to the committee in due course.

#### **6. PUBLIC PARTICIPATION AT COUNCIL AND COMMITTEE MEETINGS**

Circulated with the agenda was a draft policy regarding public participation at meetings.

Members agreed that public participation was important and to be encouraged. It was agreed that that a deadline for questions to be submitted should be amended from 5 working days to 3. It was also agreed that members of the public would be permitted to ask a supplementary question at a meeting in follow up to the response they receive. It was also agreed that the Chair be given discretion to extend question and speaking time beyond what was stated in the policy should they want to.

**RESOLVED:** That the policy as attached at appendix A and including the amendments detailed, be approved and adopted.

#### **7. COUNCILLOR EMAIL POLICY**

Circulated with the agenda was a draft councillor email policy.

It was commented that the bullet point stating councillors should not send emails that are 'condescending in nature' was subjective and it was agreed that this should be removed and replaced with 'should not contravene the councillor code of conduct'.

**RESOLVED:** That the councillor email policy as attached at appendix B and including the amendment detailed, be approved and adopted.

#### **8. COMMUNITY RECEPTIONS – REPORT OF INTERIM TOWN CLERK**

Circulated with the agenda was a report seeking the committee's views on whether to hold community receptions to launch the town council given that the covid pandemic had prevented the Council from hosting its usual Mayor Making reception.

**RESOLVED:** That this item be referred to the to be formed Civic Matters Sub Committee for consideration and recommendation to this committee.

#### **8. CREATION OF CIVIC MATTERS SUB COMMITTEE**

Members considered a report on the creation of a Civic Matters Working Group. It was explained that the Mayoralty and civic traditions of the town were of high importance and the establishment of a sub-committee to support the Civic and Mayoralty Officer in her role would be welcome.

**RESOLVED:** That a Civic Matters Sub Committee is created with members to be:

Cllr Marriott (as Chair of the Policy and Finance Committee)

Cllr Ashraf (as current Mayor)

Cllr Meredith (as current Deputy Mayor)

Cllr Choudary

Cllr G Eales

Cllr Lane

It was noted that Cllrs Choudary, G Eales and Lane were all past NBC Mayors and so had knowledge and understanding of the role and the civic matters.

#### **9. APPOINTMENTS TO SUB COMMITTEES**

It was noted that the Appeals Sub Committee had been formed by virtue of the fact that it consisted of the Chairs of Committees and the Town Mayor. Accordingly, Cllrs Ashraf, Birch, Brown, Joyce and Marriott were to serve on this sub committee.

The staffing committee needed to be appointed comprising of the Chair of the Committee (Cllr Marriott), and 6 others from the committee.

**RESOLVED:** That the Labour Group submit 4 members and the Conservative Group 2 members from the current Policy and Finance Committee membership to serve on the Staffing Committee and to be advised to the Town Clerk in due course.

The meeting concluded at 19.48

Signed.....Chair

## **NORTHAMPTON TOWN COUNCIL**

### Public Participation at Town Council Meetings

#### **Introduction**

Members of the public have a legal right to attend decision making meetings of the Council and its committees, except where they are excluded for specific items which need to be discussed in confidence (e.g. staffing matters or tenders for contracts). Members of the public have no legal right to speak at meetings of the Council or its committees and so when they are allowed to do so it is considered a privilege. The Council sets aside time for public participation during which members of the public may make a representation, contribution, suggestion or ask a question. Councillors with a prejudicial interest in an agenda item may speak during public participation (and then leave the room when the item is considered).

Other than when invited to do so by the Chair, members of the public are not permitted to speak at the meeting as this confuses the roles of councillors, who participate in the meeting, and members of the public who observe it. If there is a possibility that a large number of people will wish to speak, the Chair will encourage people not to repeat comments made by earlier speakers or ask for a single representative to be appointed.

Public participation takes place near the start of the meeting immediately after declaration of interests to make everyone aware if a member has a prejudicial interest. The time for public participation shall be outlined on the agenda. Reports from other organisations, such as the unitary council will be included in this session.

It is recognised that some members of the public may abuse the opportunity to speak. While the Chair will endeavour to ensure an answer to a question this may be refused if continuous representations are made or repetitive questions asked.

Neither councillors nor officials are under any obligation to respond immediately or at all to comments or questions made during public participation. The Chair's decision to allow a question or require an answer to be given will be final. Members of the public do not have a right to force items onto the Council agenda.

The public have a legal right to attend Council and committee meetings but do not have a right to disrupt them. Members of the public should not heckle or otherwise disrupt and must respect the rulings of the chair. As per the Council's Standing Orders if person(s) disregard the request of the chair of the meeting to moderate or improve their conduct, any councillor or the chair of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

#### **Rules**

1. A maximum of fifteen minutes will be set aside for public participation at a Council meeting. Members of the public will be invited to speak on their item of interest when dealing with that item at a committee meeting.
2. Questions may only be asked at full Council meetings as the main decision making body with the exception of planning issues which may be made at meetings of the Planning Committee. The

conduct of public participation will be regulated by the Chair having regard to the guidelines set out but with the right of discretion reserved.

3. The Chair's decision on the relevance of a representation or question and on the method of dealing with any issue in connection with this procedure will be final. This includes the Chair's decision to allow a representation or question or require an answer to be given.

**4. Questions:**

a. Must be clear and concise and be relevant to matters for which the Council has powers or duties.  
b. Only one question may be asked by any member of the public or organisation and the question must relate to a single topic. However, if an answer is given at that meeting, which the Council will endeavour to do, the member of public will be permitted to ask a supplementary question in response should they want to.

5. Questions, representations, contributions or suggestions should not:

a. Contain offensive expressions or be personal or verbal attacks on any staff or member of the Council.  
b. Divulge, or require the answer to divulge confidential or exempt information.  
c. Repeat questions or representations previously asked at earlier meetings unless there has been a material change of circumstances.

6. Questions may only be asked of the Chair.

7. Members of the public wishing to ask a question at a Council or Planning Committee meeting should provide the wording of the question and the following details to the Town Clerk by no later than 4.00 pm three working days before the Council meeting (e.g. the Wednesday before a Monday council meeting), or in the case of a planning application by 12.00 noon the day prior to the Planning Committee meeting:

a. Name, address and contact details of the person asking the question.  
b. The name of an organisation if the question is being asked on their behalf.  
c. The question to be asked.  
d. Brief information about how the subject of the question relates to the person asking the question (e.g. as a resident of the area, as a recipient of a service, the owner of a property affected by a proposal).

8. The following process will apply at the meeting:

a. The Chair will invite representations to be made or questions to be asked at the meeting.  
b. The Chair will invite the member of the public to address the meeting from the front of the Council Chamber.  
c. Up to a maximum of three minutes will be allowed to address the meeting. However, if two or more members of the public are concerned about the same topic only two may speak in support of the matter and two against. The first speaker in either case shall speak for a maximum of 3 minutes and the second for 2 minutes. An extension of this time limit is at the sole discretion of the Chair.  
d. The Chair shall decide on whether or not a response is appropriate and if so shall respond or invite a Councillor or officer of the Council to respond which may take the form of: (a) a direct oral response. (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or (c) where the reply cannot conveniently be given orally, a

written response circulated later to the questioner and made available to all members of Council and to the public.

9. The timing of questions and responses is controlled by the Mayor and Town Clerk.

10. No debate will be allowed on any question or the response thereto with the exception of planning meetings where Councillors may ask questions for clarification.

11. Any person excluded from a meeting will lose the privilege of addressing any meeting for a period of 12 months or until such time as the Council may decide otherwise.

#### **Other ways to Ask Questions**

Members of the public should be aware that rather than bringing questions to the entire Council and other members of the public during public question time, questions may also be addressed, during business hours by the Town Clerk's office, or via the Mayor or your ward councillors. These methods of communication are encouraged when more detailed dialogue is required than three minutes allow; the council meeting is not the correct forum for conducting long debates between councillors and members of the public.

Adopted 14 June 2021

# **NORTHAMPTON TOWN COUNCIL**

## **COUNCILLOR EMAIL POLICY**

### **1. INTRODUCTION**

Northampton Town Council has provided all councillors with their own councillor email address. This is to aid them in their work, present a professional image and assist the council in managing its obligations with regards to data protection and freedom of information requests.

The aim of this policy is to assist Town Councillors with email protocol and compliance with the Freedom of Information Act 2000 and GDPR. It sets out best practice for Councillor use of emails when dealing with Council business.

The Town Council is a Corporate body working within the framework of the law and local governance. As such, all employees and Town Councillors are responsible for maintaining a professional approach at all times.

### **2. LEGAL OBLIGATIONS**

The Freedom of Information Act 2000 (FOI Act) and GDPR applies to public bodies. The FOI Act allows members of the public to request information from the Town Council which must be treated in accordance with GDPR.

Town Council information is held by Town Council administrators and some is held by Town Councillors, although the length of time that information is held by Councillors will not be subject to the Town Council's retention and destruction policies. Town Council information held by Councillors is subject to the FOI Act and must be made available if requested in accordance with the FOI Act and GDPR Regulations. As data controllers councils must ensure the confidentiality, integrity and availability of all personal data they hold, even if the data is being processed through personal email accounts or is stored on a privately-owned device.

### **3. PURPOSE**

The purpose of this policy is to assist Councillors in their use of emails when the information transmitted applies to the official business of the Council. This Policy will help mitigate risks from:

- Damage to the Council's reputation.
- Potential litigation against the Council or Councillors.

The use of dedicated Town Council email addresses makes it easier for the Town Council to process personal data securely. The use of personal email accounts makes it more complicated for the Town Council to comply with GDPR and therefore Town Councillors should use the Town Council email address assigned to them when acting in their capacity as a Town Councillor.

### **4. THE USE OF EMAILS**

The Town Council has provided all Councillors with a dedicated Town Council email account for use with Town Council business. These email addresses can be found by members of the public via the Town Council website and all follow the same format, this being [Cllr.firstname.surname@northamptontowncouncil.gov.uk](mailto:Cllr.firstname.surname@northamptontowncouncil.gov.uk).

All Councillors should use their own dedicated Town Council email address for all official Town Council business. Town Council email addresses should not be used by anyone other than the Town Councillor to whom the Town Council email address has been assigned.

Any official Town Council business held by Councillors in their own private email accounts is still subject to the FIO Act and therefore their individual account can be searched for requested information. Deleting or concealing information with the intention of preventing its disclosure following receipt of a FOI request is a criminal offence under section 77 of the FOI Act and the person concealing the information is liable to prosecution.

## **5. EMAIL CONTENT**

Much of the information conveyed to Councillors is via email. This is a speedy and efficient method of information exchange from one recipient to another. However, Councillors should take care with the content of any emails they write and send on to others as improper language may lead to claims for discrimination, harassment, defamation, breach of confidentiality or breach of contract.

When acting on Town Council business Councillors should not:

- Send emails that contain libellous, defamatory, offensive, racist or obscene comments.
- Forward emails or attachments without being assured that the information can be passed on.
- Publicise the content of emails that contain confidential information.
- Send emails that could contravene the Councillors' Code of Conduct
- CC in other councillors or officers unless the subject matter specifically relates to them or their responsibilities

## **6. OUR COMMITMENT**

The Town Council recognises the importance of data control and information exchange and all email use will comply to the adopted policies of the Town Council.

Adopted 14 June 2021