

Northampton Town Council

First Council Meeting

7th December 2020

Report of Acting Town Clerk

Opening

The Statutory Order creating the Town Council prescribed that the Chief Executive of the Borough Council will convene this first meeting. His Worship The Mayor, Councillor Brian W Sargeant, has kindly agreed to preside for the first item of business and call for nominations for Chair of the Council. The Mayor also make a short statement of welcome to the new Town Councillors.

1. Appointment of Chair

Schedule 12 to the Local Government Act 1974 prescribes that the first item of business must be the appointment of a Chairman (and then if it wishes a Deputy Chairman). The Act is specific on the titles but it is suggested that the Council, at the same time as the appointment,

Recommended: That in this Council the Chairman and Deputy Chairman will in future be referred to and addressed as Chair and Vice Chair respectively and that Councillor xxx be appointed as the first Chair of the Council.

The Chair will then make the statutory declaration of acceptance of office.

2. Response to the Mayor

The Chair respond to the Mayor's welcome and comment upon the historic occasion of the first meeting of the Town Council.

3. Appointment of Vice Chair

The Chair will invite nominations for Vice Chair.

Recommended: That Councillor xxx be appointed Vice Chair of the Council.

Once appointed the Vice Chair will make the statutory declaration of acceptance of office.

4. Apologies

The Chair will ask if there are any apologies

5. Confirmation of Appointment of Acting Town Clerk and Responsible Financial Officer

The Council is required by law to appoint a Proper Officer (responsible for signing and serving official documents and receiving such documents on behalf of the Council) and a Responsible Financial Officer (RFO). Under its contract with Northants CALC for supporting the creation of new parishes, the Borough agreed the appointment of NCALC's consultant, Richard Walden, to fill both those posts until such time as a permanent Town Clerk can be appointed. The Job Description and Terms of Employment for the Town Clerk require the person appointed to also act initially in both capacities whilst recognising that a separate RFO may be required at a later date.

Recommended: That Mr Walden's temporary appointment be confirmed.

6. Declarations of Interest

Members will be asked to indicate if they have any interests to declare on matters under consideration by the Council.

7. Adopting Style "Town Council"

The Council has been created as a parish council and it is at this meeting (or a subsequent meeting) that members can decide they wish the council to become a Town Council. In addition it can decide that it wishes its Chair and Vice Chair to be known as Town Mayor and Deputy Town Mayor respectively. The Statutory Order which created the Council also determined that the Mayoralty be transferred to the new council on 1st April 2021. To give effect to this decision it is

Recommended: (i) that the Council be styled a Town Council and (ii) that, with effect from 1st April 2021 the Chair and Vice Chair be respectively styled the Town Mayor and Deputy Town Mayor.

8. Appointment of an Executive Committee

The Borough Council has recommended that once the Town Council starts delivering services directly after April it appoints four committees with delegated responsibilities to manage its affairs most effectively. In a Town Council there is no provision for councillors to hold executive powers and all decisions must be taken by the council or delegated to a committee or sub-committee or to an officer. However, in the meantime it is suggested that the Council considers appointing an Executive Committee of, say, seven members with delegated authority to consider and approve all matters necessary for the Council to be fully operational at its Annual Meeting on 17th May (save for those matters reserved to the full council such as appointment of Town Clerk, approving the budget and setting a precept and approving the transfer of assets and services). This would be the most efficient way for

councillors to discuss detailed matters such as its IT system, accounts software, internal audit arrangements, detailed wording of additional policy documents to those already considered at item 9.

Recommended: That an Executive Committee comprising councillors xxx, xxx, xxx, xxx, xxx, xxx and xxx be appointed with delegated authority as detailed in the report

9. Adoption of Standing Orders, Financial Regulations, Code of Conduct and other key documents

The Acting Town Clerk has prepared draft versions of the following essential documents in line with models recommended by the National Association of Local Councils and the Society of Local Council Clerks which are available on the Council's website www.northamptontowncouncil.gov.uk . It is that the suggested that the Council may wish to adopt these documents subject to their formal review at the Annual Council Meeting following detailed scrutiny by the Executive Committee.

Standing Orders

Financial Regulations

Code of Conduct

Staff Disciplinary and Grievance Procedure

Freedom of Information Publication Scheme

Data Protection Policy

Health and Safety Policy

Equality Policy

In the case of the councillors' Code of Conduct, it is recommended that the Code approved from time to time by West Northants Council also apply to members of this Council.

Other more detailed and service specific policies will be presented to the Executive Committee for consideration in the coming months.

Recommended: that the documents outlined in the report of the Acting Town Clerk be adopted subject to their formal review at the Annual Council Meeting following detailed scrutiny by the Executive Committee.

10. Appointment of External Auditors

Pursuant to Local Audit and Accountability Act 2014 the Council is required to appoint an External Auditor. There are two options for achieving this:

- a) Accepting the auditor procured under a central scheme for the county area by the Smaller Authorities' Audit Appointments (SAAA). SAAA was formally appointed in January 2016 by the Minister for Local Government to procure external auditors for all town, parish and community councils. The auditor it has procured for parish and town councils in Northants is PKF Littlejohn.
- b) A council can opt out of the central scheme and appoint its own external auditor directly. To do so a council must appoint an audit panel/committee in line with CIPFA guidance. This includes drawing up a specification, advertising, determining the appointment process and recommending to the full council who should be the authority's "appointed auditor". In line with best practice, the audit committee/panel should determine what information is required from firms as part of the tendering process, such as financial standing, public audit experience, understanding of the 'limited assurance' regime, insurance cover and limits (professional indemnity, public liability, employee liability).

Recommended: that the Council accepts PKF Littlejohn as its external auditor.

11. Northants Pension Fund

The Town Council needs to consider what level of pension it wishes to offer its employees. Whilst there are a range of options available and although NCALC does not as a principle recommend any particular provider, the vast majority of local government employees will already be entered in the Local Government Pension Scheme (LGPS) and if the permanent Town Clerk is recruited from another existing town council or other senior public sector position, then they would be expecting their LGPS benefit to continue. Further if any existing Borough Council staff are to be transferred to the Town Council in the future and they are already in LGPS, then they must receive the like benefit.

LGPS can be offered to all employees or to particular individual employees and, in order to offer equal benefits to all employees, the Borough Council's Cross Party Working Group has recommended that the new Council resolves to join LGPS by becoming a "Resolution Member" of the Northamptonshire Pension Fund. There are however a number of potential liabilities and risks which need careful consideration before a final decision is confirmed. The Acting Town Clerk is preparing a detailed report on these issues in conjunction with the Pension Fund Manager.

Recommended: that the Council agrees in principle to join the Northants Pension Fund for all transferred and subsequently appointed employees subject to the Executive Committee considering and approving a report setting out the liabilities and risks of joining the Fund.

12. Armorial Bearings

The Borough Council has agreed to the transfer to the Town Council of its historic Coat of Arms. Windsor Herald at the College of Arms has advised that the Arms can be transferred from one corporate body to another by Royal Licence – which Her Majesty The Queen physically signs. The transfer would be evidenced by a certificate (on which the Arms can be painted) signed by the Kings of Arms. The fee for the Licence and certificate will be £4,000. Windsor Herald is also able, as a separate commission, to undertake detailed research into the history of the Arms should the Council so desire.

Recommended: that Her Majesty be petitioned to grant a licence transferring the Borough Coat of Arms to the Town Council.

13. Appointment of Permanent Town Clerk

In order that a permanent Town Clerk can be recruited and In post by the time of the Annual Council Meeting in May 2021, the Borough Council has started the recruitment process by approving an Applications Pack for the post which has now been advertised. The closing date for applications is 17th December. The proposed selection process includes the opportunity for all members of the Town Council as well as key community stakeholders to play a role on the first day of the proposed two day Assessment Centre being held on 13th and 14th January 2021. Any Members of this Council who have not already done so and wish to take part in this process are asked to advise the Acting Town Clerk accordingly.

The Borough Council at its meeting on 2nd November also recommended to this Council the terms of appointment as set out in the Appendix to this report.

Recommended: That the terms for the appointment of the Town Clerk be adopted

14. Meeting Dates

Recommended: that the following dates for meetings of the Council be approved:

- Tuesday 6th January 2021 at 6.30pm (confirmation of appointment of Town Clerk; approving budget and precept for 2021/22)
- Monday 1st March 2021 at 6.30pm (approval of first tranche of transfer of assets and services)
- Tuesday 11th May 2021 at 6.30 p.m. (Informal Meeting of newly elected councillors)
- Monday 17th May 2021 at 6.30pm (Annual Council Meeting – Mayor Making ceremony)
- Monday 24th May 2021 at 7pm Annual Town Meeting (Electors’ Meeting) – opportunity for community engagement event

15. Matters for Information

The Borough Council has been considering a number of matters to enable this Town Council to become fully operational in its “shadow” form as soon as practical and a number of decisions taken at its meeting on 2nd November including:

- Agreeing that a Parish Remuneration Panel be convened shortly (so the Town Council can consider if it wishes to introduce councillors’ allowances);
- officers working on a first draft budget and precept for 2021/22 which will be presented to the Executive Committee to enable it to make appropriate recommendations to the Council at its meeting on 25th January;
- informing this budgeting process by agreeing a likely senior staff structure below the Town Clerk;
- approving a draft eventual governance structure of three committees to enable essential key policy documents (Standing Orders, Financial Regs etc) to be drafted for consideration and
- giving detailed consideration to the potential transfer of assets and services.

The Statutory Order creating the Town Council transferred the Mayoralty and eight allotment sites and responsibility for closed churchyards will also transfer on 1st April 2021. The Borough Council has also resolved in principle, subject to further reports to the Cross Party Working Group and full Council, to transfer the historic part of the Guildhall plus Markets, Events and entertainments, Festive lighting, Street furniture (seats, signs, street name plates, interpretation boards, non-highway lighting), Hanging baskets and planting displays, Town Twinning, Community grants and Town centre management activities. Any transfer of the Guildhall will also be subject to the consent of West Northamptonshire Council. Discussions on the practical implementation of this decision in principle are continuing which going forward will include reports to the Executive Committee.

NORTHAMPTON TOWN COUNCIL

Town Clerk

Terms and Conditions of Employment

For all purposes not specified within this document, the post is subject to the terms of the conditions of service determined by the National Joint Council for Local Government Services (NJC/ Green Book).

1. Salary

The post is offered at a salary within the NALC/SLCC recommended Salary Scale 4, NJC Spinal Column Points 59 -62 (£72,178 to £77,783). It is expected that the successful candidate will be appointed at the first point of the scale and, subject to satisfactory performance, to progress annually through the scale. However, for an exceptional candidate a higher starting spinal column point may be offered.

2. Working Week

The normal working week is 37 hours; however as Town Clerk and Head of Paid Service it is expected that you will work flexibly and commit sufficient hours, subject to working time regulations, to meet the needs of the Council including attending meetings and events in the evening and at weekends.

3. Place of Work

The Council is located in the Guildhall, St Giles Square, Northampton but you may be required to work from other locations as the exigencies of the position require.

Should the successful candidate wish to move home to be closer to Northampton, the Council is willing to discuss the possibility of a one-off payment of up to £5,000 for legitimate actual removal and related expenses should he/she so move within 12 months of appointment (such sum to repaid should the Town Clerk vacate the position for whatever reason within 24 months of the employment start date). Payment of these expenses will be subject to HMRC rules in force at the time.

4. Expenses

In addition to the payment mentioned in item 3 of this document, travel, mileage, and subsistence expenses incurred during approved travel on Council business will be reimbursed under the Council's scheme applicable at the time.

5. Other Employment

This is a full-time post. The post holder will be fully engaged in the employment of the Council and agrees not to undertake any other paid employment without the express consent of the Council. The Council reserves the right to require that any other employment does not conflict with the role or standards required to be undertaken or met in the position of Town Clerk.

6. Annual Leave

The post holder is entitled, in addition to the normal bank and public holidays, to 28 working days' leave in each leave year (part years pro rata). The leave year runs from 1st April to 31st March.

In addition to general national holidays, two extra statutory days are given, the timing of these extra-statutory holidays is by mutual arrangement.

7. Period of Notice

The post is subject to a 6 month probationary period and the permanent appointment must be confirmed by the Council.

The post holder must give least three months written notice to terminate the Employment. The post holder will be entitled to statutory notice during the probationary period and three months written notice after successful completion of the probationary period.

8. Pension

The postholder will be entitled to join the contributory Northamptonshire Local Government Pension Scheme.

9. Employee Development Scheme and Salary Review

This is a key post whose success is vital to the successful development of the new Town Council. The Council therefore will provide the following developmental support.

The postholder will join the Society of Local Council Clerks (SLCC) and will be expected to comply with its professional code of conduct. The Town Clerk will be supported to annually maintain sufficient continuous professional development points necessary to maintain a Fellow membership of SLCC.

On appointment the Town Clerk will be entitled to:

- a monthly meeting during the first 6 months with a duly appointed representative of the Council to explore their direction of work and personal development;
- after 3 months a discussion to agree and refine the specific responsibilities of the post and to agree performance measures, indicators and milestones;
- at the end of the first 6 months an agreed Personal Development Plan setting out the tasks and on-going professional development required to achieve key result areas and to develop personal goals over the next period of 12 months.

The Town Clerk will have a formal Performance Review Meeting 18 months after joining the Council, which will measure the post holder's performance against the Personal Development Plan. A Performance Review Meeting will take place annually thereafter.

The role of Town Clerk can be very challenging and the Council will fund an external Executive Coach to help him/her tackle challenges in the role – a confidante, counsellor and above all development coach for important management issues.

10. Health and Safety Regulations, Other Legislation & Society Policies

You will be expected to familiarise yourself with all relevant regulations, legislation and policies applying to or made by the Council and ensure that you comply with and ensure others comply with these as required. Detailed policies and procedures are outlined in the Employee Handbook with which you are expected to comply.

