

NORTHAMPTON BOROUGH COUNCIL

NORTHAMPTON TOWN COUNCIL EXECUTIVE COMMITTEE

Thursday, 18 February 2021

PRESENT: Councillor Birch (Chair); Councillor Marriott (Deputy Chair); Councillors Hibbert, Lane, B Markham and Russell
In attendance: Councillors Ashraf and Hallam with Mr R Walden (Acting Town Clerk); Mrs M Goodman and Mr L Gould (Borough Council) and Dr L Sambrook-Smith (Northants CALC)

1. APOLOGIES FOR ABSENCE

There were none.

2. DECLARATIONS OF INTEREST

There were none.

3. MINUTES OF LAST MEETING

The minutes of the previous meeting held on 19 January 2021 were agreed as a true and accurate record.

4. DELEGATIONS TO COMMITTEES AND OFFICERS

The Town Clerk recalled that at the Council meeting on 5th December 2020 when it had been agreed to appoint a temporary Executive Committee it had also been noted that the Borough Council had recommended that the Council adopt a committee system of governance with four standing committees with delegated powers to exercise most of the functions of the Council subject to major decisions being reserved to the full Council. He submitted a draft scheme attempted to define how that objective could be achieved. The proposal included for the option that Committees could refer any matter to the Council if they wished as well as the opportunity for any three Committee members having the ability to require any decision was presented as a recommendation to Council.

With 25 elected councillors the structure proposed a total of 50 committee places enabling each councillor to serve on two committees. To ensure that all Members of the Council had the opportunity to be engaged in all decisions, the Committee agreed that all councillors receive copies of agendas and reports for all committees and be entitled to attend those meetings and, with the consent of the Chair, to speak to any particular item.

The Committee also noted that the various suggested delegated functions of committees included for all the possible functions which may be transferred to the Town Council, as discussed at the last Council meeting. This did not infer that any commitment on the part of this Council to concluding negotiations for all or any transfer but it did remove the necessity of having to regularly update the document as particular transfers were agreed from time to time. A similar approach had been taken to the services included within the Publication Scheme referred to in a later item.

RECOMMENDED: That the draft Scheme of Delegations to Committees etc at Appendix "A" be adopted

5. MAYORAL ALLOWANCE

The Acting Town Clerk recalled that the Council may pay its Town Mayor a reasonable allowance to enable him or her to meet the expenses of his or her office. The amount should be fixed by the council in advance and represent reasonable reimbursement to the Mayor for the general duties of his or her office - attending events in their public figure role, hosting small receptions, etc. (s. 15(5) and s. 34(5) of the LGA 1972.) The Mayor's allowance was usually spent or used entirely at the Mayor's discretion and without their having to account for it to the authority. A Mayor's allowance is was also probably taxable under PAYE Income Tax.

In the past he understood that the Borough Council had paid the full allowance to the Mayor through payroll but that, in recent years, the allowance has been split 50:50 between a direct payment and a budget sum held by the Civic and Mayoral and Officer for reimbursement of actual expenses incurred. The current allowance for the Borough Mayor was £23,359.92 and this sum was included in the Town Council's budget for the following year (together with an additional allowance based on the previous Deputy Mayor's allowance – see below). It was impossible to predict with any accuracy the actual likely expense requirements of the new Town Mayor and he suggested that one possible approach may be to allocate all the Allowance in the budget as a contingency item held by the Civic and Mayoral Officer against which all expenses can be reimbursed or paid directly on the Mayor's behalf. There would be no involvement with PAYE.

The Borough Council had also paid an allowance to the Deputy Mayor, which was currently £3,818.28. The Town Council had no power to make such a payment. In some other local councils this problem was overcome by the Mayor by custom allocating, say 10%, of their allowance for use by the Deputy. An alternative would be to include the current provision for a Deputy's allowance in the civic expenses contingency budget referred to above.

There were two phases of the coming Mayoral term of office. Firstly the "balance" of the current municipal year from 1st April to 17th May when Cllr Ashraf would complete the final part of the term occupied by Borough Cllr Sargeant, the second being the Town Council's first full municipal year starting with the Annual Meeting on 17th May when, subject to the results of the elections on 6th May the existing Town Mayor and Deputy could be re-appointed. The above budgets could be used for both these elements.

After discussion the Committee felt that it was advisable to continue the Borough Council's practise of dividing the Mayor's Allowance budget and, accordingly, it was

RECOMMENDED: That the Town Mayor's Allowance be divided equally between a direct monthly payment to the Town Mayor and a contingency budget held by the Civic and Mayoral Officer to meet any other civic and mayoral expenses agreed with the Town Mayor.

6. MAYOR'S CHAPLAIN

The Committee considered whether the Council should continue the practise of the Town Mayor being invited to appoint a Chaplain during their term of office. The Chair invited the incoming Town Mayor, Councillor Ashraf, to comment on whether she intended to appoint a Chaplain. Councillor Ashraf expressed that she intended to invite speakers from different faiths to lead the Council in prayer at Council meetings.

RECOMMENDED: That the Council continue the custom of inviting the Town Mayor, if they wished, to annually appoint a Chaplain who would lead the Council in prayer at the start of its meetings.

7. COUNCILLORS ALLOWANCES

The Town Clerk advised that the Borough Council's Independent Remuneration Panel, chaired by Mr John Cade had met to consider whether to recommend parish basic allowances be paid to Town Councillors. The Chair of the Panel, Mr John Cade, would be presenting its report and recommendations at the next Council meeting.

RESOLVED: That the report be noted.

8. TRANSFER OF PROPERTY AND SERVICES

The Borough Council's Deputy Monitoring Officer reported that its Cross Party Working Group was due to meet 24 February 2021 to discuss the transfer of property and services. Reports would be presented on the proposed lease of the historic part of the Guildhall with West Northants Unitary and other matters. A further report would be presented in the light of that meeting but it was unlikely that negotiations would be concluded by the time of the next Council meeting on 1st March 2021.

RESOLVED: That a meeting of the Council be convened for Monday 29th March 2021 at 6 p.m. to consider the matter further.

9. INFORMATION TECHNOLOGY AND ACCOUNTING SOFTWARE

The Acting Town Clerk explained that the Council needed to have several aspects of technology in place in order to become fully and effectively operational on 1st April this year including:

- Suitable accountancy software
- Accounting support for the Town Clerk in her role as Responsible Financial Officer
- An IT system
- A telephone system

He proposed that initially the Council consider a composite package with Microshade VMS who offered a cloud based IT system with email addresses for all Town Councillors and hosting a sector specific accountancy package based on Omega by RBS Rialtas. The Managing Director of Microshade, Mr Stuart Wilbur, would also act as Finance Advisor to the Town Clerk in her role as Responsible Financial Officer (RFO) until such time as the Council was in a position to appoint a specialist RFO. Microshade had also introduced the Council to Horizon Telecomm who had quoted for the provision of a cloud based phone system and to Civica who offered the Modern.Gov - Governance and Meeting Management software.

The costs involved were as follows and the Borough Council's IT department had advised that it could not match the sums quoted:

	Set up and first year costs	Ongoing annual cost
RBS Omega Accounting Software & training	£4,835	£959
Accounting Support	£3,835	£3,835
Cloud based ICT system (inc Cllr emails)	£6,152	£5,652
Telephones (including all calls for up to 12 users)	£2,855	£2,340
TOTAL	£17,677	£12,786

RESOLVED: (i) That the Acting Town Clerk be authorised to conclude agreements for the above services as indicated in his report.

(ii) That, for the time being, the Council does not invest in the ModernGov meeting management software.

9. FREEDOM OF INFORMATION ACT: PUBLICATION SCHEME

The Committee noted that, under the Freedom of Information Act 2000, Councils were required to have a publication scheme indicating how documents would be accessible to the public. The Acting Town Clerk presented a draft Publication Scheme based upon the model supplied by the Office of the Information Commissioner.

RECOMMENDED: That the draft publication scheme at Appendix "B" be adopted.

10. PAYROLL SERVICES

The Town Clerk presented a quotation from CVS Northamptonshire, whose payroll service was widely used by local charities and community groups. There would be a £50 set up charge, a monthly charge of £8 per employee and a year-end charge of £30 making a potential annual cost, based upon 6 employees of £656. This price compared favourably with other quotations obtained.

RESOLVED: That the Council enters into an initial one-year payroll services agreement with CVS Northamptonshire.

11. TRANSFER OF COAT OF ARMS

For the information of the Committee the Town Clerk presented the form of the Petition to Her Majesty The Queen for the transfer of the Borough Council's Coat of Arms.

Northampton Town Council

Delegation to Committees and Officers

Except as indicated in paragraph (1) below, each Committee shall exercise on behalf of the Council the functions assigned to it in this document. Committees are not bound to exercise delegated powers and may at their discretion refer matters to the Council for decision. Any three members of a Committee may also stand and require any decision of the Committee to be referred to the Council as a recommendation. Each Committee is required to submit to the Council a report of its proceedings since the previous meeting of the Council.

1. Delegation - Exceptions

- a) The borrowing of money
- b) Approval of the annual budget and the levying of a precept
- c) The disposal of land, other than lettings for two years or less.
- d) The introduction of new major policy or a change in the Council's established
- e) The making of byelaws
- f) The purchase of land not provided for, or at a cost in excess of a sum allowed in any approved capital programme
- g) Matters relating to the employment of the Town Clerk and Responsible Financial Officer

2. Sub-Committees

Committees may, subject to the concurrence of the Council, appoint Sub-Committees and (subject to the foregoing exceptions) such of the Committees' powers and duties as the Council may resolve, may be delegated to Sub-Committees. Each Sub Committee is required to submit to the main Committee a report of its proceedings since the previous meeting of the Committee.

3. Delegation to Committees

a) **Policy and Finance Committee**

(14 Members including the Chair and Deputy Chair of other Standing Committees)

- i) Without detracting from the duties and responsibilities of the other Committees, to review the effectiveness of the whole of the Council's organisation, its standards and levels of service.
- ii) To consider and approve corporate arrangements for risk management.
- iii) To control the policies of all Committees and, where appropriate, to make recommendations thereon to the Council.
- iv) To consider and make decisions on any matters referred to it by the Council or other Committees.
- v) To determine all matters relating to financial issues and to recommend annual revenue and capital budgets to Council.
- vi) To advise the Council on the regulation and control of the Council's finances; including in particular the financial implications and funding of any capital works.
- vii) To control the collection of revenues of the Council and to write off irrecoverable amounts.
- viii) To determine policy regarding insurances.
- ix) To receive auditors' reports and make decisions as to any policy matters raised thereby or arising therefrom.
- x) To make decisions regarding town twinning, hospitality, civic and public relations activities.
- xi) To advise on the making of any byelaws not specifically the responsibility of any other Committee.
- xii) To make decisions on all matters relating to all staff including proposals for additional staff to the Council's establishment. The appointment of the Town Clerk being the responsibility of the full Council.
- xiii) To make recommendations to the Council on the conduct of its own business - including Standing Orders, Committee organisation and membership and calendar of meetings.
- xiv) To make decisions on all matters relating to the Guildhall
- xv) To make decisions on any matters not specifically allocated to another Committee.

(b) Accounts Sub-Committee

This Sub-Committee will report directly to the Policy and Finance Committee and will comprise 4 Members consisting of the Chairman of Policy Finance Committee plus 3 other Members. Substitutes will be permitted from any other member of the main Committee.

- i) To approve the payment of Accounts in accordance with Standing Orders and Financial Regulations.
- ii) To monitor the level of Council income/expenditure compared with the approved budget and to make any recommendations thereon to the Finance and General Purposes Committee.
- iii) To act as the Council's Audit Committee and to receive and make recommendations on reports from Internal and External Auditors.

c) Staffing Sub-Committee

This Sub-Committee will report directly to the Policy and Finance and will comprise 7 members consisting of the Chair of Policy and Finance Committee plus 6 other of its members

- i) To consider and make recommendations to the Policy and Finance Committee concerning the employment and terms and conditions of all staff.
- ii) To consider and make recommendations to the Policy and Finance Committee on issues concerning Council personnel policy.

d) Appeals Sub-Committee

This Sub-Committee will report directly to the Policy and Finance Committee and will comprise 5 Members consisting of the Chairs of the four standing committees and the Town Mayor.

- i) To consider on all matters relating to the Council's appeals procedures .

e) Environmental Services Committee

(12 members)

- i) To determine all matters relating to the provision and maintenance of, bus shelters, seats, litter bins and other items of street furniture
- ii) To consider the Council's response to the climate emergency
- iii) To determine all matters relating to the provision and day to day running of allotments, closed churchyards, local parks and open spaces and play areas under the control of the Council.
- iv) To consider all matters relating to the physical environment of the town, including litter and dog control, re-cycling of waste materials and liaising with local interest groups on such issues.

- v) To manage all matters relating to the Neighbourhood Warden scheme.
- vi) To consider all matters relating to the management of the Market and the Town Council's contribution towards town centre management activities.
- vii) To assemble and submit to the Policy and Finance Committee an income and expenditure budget for each financial year in respect of all the services of this Committee..

e) **Planning Committee**

(12 members)

- i) To consider all Planning Applications within the Parish submitted to the West Northants Council and subsequently advise the Planning Authority of the Town Council's views and to approve the Council's observations on any planning appeals.
- ii) To consider and comment upon any local plans, proposed listed buildings, conservation areas, tree preservation orders and building preservation orders.
- iii) To determine all matters relating to highways, footpaths and bridleways.
- iv) To respond, on behalf of the Council, to the proposals of other authorities relating to transportation and car parking issues, including traffic regulation orders.

f) **Community Services Committee**

(12 Members)

- i) To determine all issues relating to the management and maintenance of Community Centres under the Council's control
- (ii) To determine all matters relating to the Council's approach to delivering services to young people
- iii) To keep under review the need for additional community facilities and to make recommendations as to how to satisfy such need.
- (iv) To assemble and submit to the Policy and Finance Committee an income and expenditure budget for each financial year in respect of all the services of this Committee. .
- (v) To be responsible for all matters relating to the Council's approach to community safety and to liaise with Northamptonshire Police concerning community policing issues
- (vi) To liaise with local voluntary organisations on the development of voluntary services

- (vii) To consider all matters relating to the organisation of public events entertainments including Festive Lighting and Christmas celebrations.

(h) Grants Sub-Committee

This Sub-Committee will report directly to the Community Services Committee and will comprise 4 Members from that Committee

- (i) To consider and make recommendations to the Community Services Committee on all grant applications made to the Council in accordance with the Council's Community Grants application process including final decisions on the Councillor Community Funding Scheme.

i) Town Clerk and Responsible Finance Officer

The following powers shall be delegated to the Town Clerk or in her absence the appropriate Head of Service..

- (ii) Incurring all items of expenditure included within the approved budget for the relevant year except where an item is expressly excluded in the budget and subject to compliance with Standing Orders with respect to contracts and to Financial Regulations.
- (iii) Grant or refusal of applications to hire Council premises, sports facilities or facilities managed by the Council within the policies prescribed by the Council.

j) Chair and Deputy Chair of Standing Committees (Emergency Powers)

The Chair and Deputy Chairman of any Committee (provided that, if either or both be not available, any other Member(s) of the appropriate committee shall act in their stead) shall be authorised to exercise any powers within the purview of their Committee, but not otherwise delegated, provided they are satisfied that action is required as a matter of urgency.

The Members so acting shall be deemed to constitute a Sub-Committee of the Committee concerned. A full report on any action taken under this delegation shall be reported to the next meeting of the relevant Committee.

NORTHAMPTON TOWN COUNCIL

PUBLICATION SCHEME

Appendix “B”

Information available from Northampton Town Council under the Freedom of Information Act publication scheme

Northampton Town Council will make the information in this definition document available unless:

- it does not hold the information;
- the information is exempt under one of the FOIA exemptions or Environmental Information Regulations exceptions, or its release is prohibited by another statute;
- the information is readily and publicly available from an external website; such information may have been provided by the public authority or on its behalf. The authority must provide a direct link to that information;
- the information is archived, out of date or otherwise inaccessible; or,
- it would be impractical or resource-intensive to prepare the material for routine release.

PUBLISHING DATASETS FOR RE-USE

Public authorities must publish under their publication scheme any dataset they hold that has been requested, together with any updated versions, unless they are satisfied that it is not appropriate to do so. So far as reasonably practicable, they must publish it in an electronic form that is capable of re-use.

If the dataset or any part of it is a relevant copyright work and the public authority is the only owner, the public authority must make it available for re-use under the terms of a specified licence. Datasets in which the Crown owns the copyright or the database rights are not relevant copyright works.

The Datasets Code of Practice recommends that public authorities make datasets available for re-use under the [Open Government Licence](#).

The term ‘dataset’ is defined in section 11(5) of FOIA. The terms ‘relevant copyright work’ and ‘specified licence’ are defined in section 19(8) of FOIA. The ICO has published [guidance](#) on the dataset provisions in FOIA. This explains what is meant by “not appropriate” and “capable of re-use”.

Information to be published	How the information can be obtained	Cost
<p>Class1 - Who we are and what we do (Organisational information, structures, locations and contacts)</p> <p>This will be current information only.</p> <p>N.B. Councils should already be publishing as much information as possible about how they can be contacted.</p>	(hard copy or website)	Free
Who’s who on the Council and its Committees	Website	Free
Contact details for Town Clerk and Council members (named contacts where possible with telephone number and email address (if used))	Website	Free
Location of main Council office and accessibility details	Website	Free
Staffing structure	Website	Free
<p>Class 2 – What we spend and how we spend it (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)</p>	(hard copy or website)	
Current and previous financial year as a minimum		
Annual return form and report by auditor	Website	Free

Finalised budget	Website	Free
Precept	Website	Free
Borrowing Approval letter	Website	Free
Financial Standing Orders and Regulations	Website	Free
Grants given and received	Website	Free
List of current contracts awarded and value of contract	Website	Free
Members' allowances and expenses	N/A	N/A
Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews) Current and previous year as a minimum	(hard copy or website)	
Annual Report to Parish or Community Meeting (current and previous year as a minimum)	Website	Free
Quality status	Website	Free
Local charters drawn up in accordance with MHCLG guidelines	N/A	
Class 4 – How we make decisions (Decision making processes and records of decisions) Current and previous council year as a minimum	(hard copy or website)	
Timetable of meetings (Council and any committee/sub-committee meetings and parish meetings)	Website	Free
Agendas of meetings (as above)	Website	Free
Minutes of meetings (as above) – n.b. this will exclude information that is properly regarded as private to the meeting.	Website	Free
Reports presented to council meetings – n.b. this will exclude information that is properly regarded as private to the meeting.	Website	Free

Responses to consultation papers	Website	Free
Responses to planning applications	Website	Free
Bye-laws	Hardcopy	Free
Class 5 – Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities) Current information only	(hard copy or website)	
Policies and procedures for the conduct of council business: Procedural standing orders Committee and sub-committee terms of reference Delegated authority in respect of officers Code of Conduct Policy statements	Website Website Website Website Website	Free
Policies and procedures for the provision of services and about the employment of staff: Internal instructions to staff and policies relating to the delivery of services	Hardcopy	Free
Equality and diversity policy Health and safety policy Recruitment policies (including current vacancies) Policies and procedures for handling requests for information Complaints procedures (including those covering requests for information and operating the publication scheme)	Website Website Website Website Website	
Records management policies (records retention, destruction and archive)	Hardcopy	

Data protection policies	Website	
Schedule of charges (for the publication of information)	N/A	
Class 6 – Lists and Registers Currently maintained lists and registers only	(hard copy or website; some information may only be available by inspection)	
Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice)	Hardcopy	Free
Assets register	Hardcopy	Free
Disclosure log (indicating the information that has been provided in response to requests; recommended as good practice, but may not be held by parish councils)	Hardcopy	Free
Register of members' interests	Hardcopy	Free
Register of gifts and hospitality	Hardcopy	Free

Class 7 – The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) Current information only	(hard copy or website; some information may only be available by inspection)	
Allotments	Website	Free
Burial grounds and closed churchyards	Website	Free

Council Offices (Guildhall)	Website	Free
Community centres and village halls	Website	Free
Parks, playing fields and recreational facilities	Website	Free
Seating, litter bins, clocks, memorials and lighting	Hardcopy	Free
Bus shelters	Hardcopy	Free
Markets	Website	Free
Public conveniences	Website	Free
Agency agreements	Hardcopy	Free
Services for which the council is entitled to recover a fee, together with those fees (e.g. allotment fees)	Website	Free
Additional Information This will provide the Council with the opportunity to publish information that is not itemised in the lists above		

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