

**Minutes of the meeting of Desborough Town Council
held on Thursday 21 February 2019**

Councillors present: G Holmes (Chairman), C Archer, L Burnham, S Draycott, I James, B Keys, J Read, P Sawford, S Stroud, and J Taylor.

Also present: G Thomson (Town Clerk), and 26 members of the community.

242./18 CHAIRMAN'S WELCOME AND ANNOUNCEMENTS

The Chairman welcomed those present to the meeting and reported that a collection box for donations to the Trussel Trust foodbank was on the counter in the Council's office. He added that Montsaye Academy had been rated as good in the Academy's latest Ofsted report and he referred to the Academy's Spring Fair on 30 March 2019.

The Chair reported that the new website was operational and had a better look and feel but still had some teething problems.

The Chair reported that figures for town and parish council precepts across the Borough had been released and that the Council's precept was in line with the larger towns and was no longer the highest.

The Chair noted that efforts were being made to resolve the situation with the fish farm site through the Borough Council's planning department. It was suggested that current photographic evidence of apparent breaches of planning and licensing conditions be provided to the Borough Council, and all reports of mud on the road be reported as quickly as possible to the County Council's Streetdoctor.

243./18 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor McElhinney.

**RESOLVED that:-
the apologies be noted.**

244./18 DECLARATIONS OF INTEREST

No declarations of interest were made.

245./18 REQUESTS FOR DISPENSATION

No requests for dispensation were made.

246./18 MINUTES OF THE MEETING HELD ON 17 JANUARY 2019

The minutes of the meeting held on 17 January 2019 had been previously circulated and it was **RESOLVED that:-**

the minutes be confirmed and signed by the Chairman.

247./18 TO HEAR REPRESENTATIONS FROM MEMBERS OF THE PUBLIC

The Chair suspended the meeting at this point and invited comment from members of the community present.

247.1./18 DESBOROUGH LIBRARY AND COMMUNITY HUB, AND DESBOROUGH TOWN COUNCIL

A member of the public raised concern about what he claimed was a joint venture between Desborough Library and Community Hub (DLCH), and Desborough Town Council. He referred to the possible purchase of the library building and he said he was in favour of purchase if it required no additional funding from the community. He added that the County Council had confirmed that it had made no decisions about the future of the property. The speaker stated that there was no minuted decision of the Council to create DLCH nor to appoint Councillors to it. He stated that there would be no need for a public poll because of the low response rate to the Council's public consultation. He concluded by confirming that he supported leasing, that he was happy to make a formal complaint to the Borough Council and the Charity Commissioner, and that he had requested a hearing under the complaints policy, which the Town Clerk had referred to the Monitoring Officer.

Another member of the public raised concern about an apparent inconsistency in responses between the Town Council and the County Council to Freedom of Information requests he had made relating to the release of the DLCH business plan. He stated that a Councillor had used a term to describe some people in the Town and asked if it was a legitimate term to be used. He concluded by saying that a Cllr had posted a comment online stating that he (the Councillor)

Chair: _____

had been informed that the speaker had seen the DLCH business plan. The speaker stated that this was a dishonest statement and said he would be taking it further.

The Chair confirmed that the Town Council had not refused to release the business plan, and that derogatory terms were not used by the Council to describe residents.

247.2./18 RESUMPTION OF MEETING

The Chair resumed the meeting at this point.

248./18 TO FORMALLY APPOINT THE TOWN CLERK / RESPONSIBLE FINANCIAL OFFICER

Extracted from the report of the Town Clerk:

The Council is required to formally resolve to appoint the Town Clerk / Responsible Financial Officer. Although the appointment has been made, there needs to be a Council minute approving both appointments. The Council is REQUESTED to formally appoint Graham Thomson as Town Clerk and as Responsible Financial Officer.

RESOLVED that:-

Graham Thomson as Town Clerk and as Responsible Financial Officer with effect from 27 August 2018.

249./18 TO ADOPT THE GOVERNANCE RISK ASSESSMENT

Extracted from the report of the Town Clerk:

The Council must review its governance and financial risks each year. The Governance Risk Assessment attached at Appendix A is a remodelled and updated version of that previously approved. The Council is REQUESTED to consider the matter and to approve the Governance Risk Assessment.

RESOLVED that:-

the Governance Risk Assessment be accepted and adopted.

250./18 TO CONFIRM THE ARRANGEMENTS FOR INTERNAL CONTROLS

Extracted from the report of the Town Clerk:

The Council's arrangements for internal controls should be reviewed annually. The procedures have been discussed with the current Internal Auditor. The procedures set out at Appendix B are heavily based on those previously adopted by the Council. The Council's practice of nominating Councillors to conduct regular internal reviews and to sign appropriate documents accordingly should be retained.

Councillors should also be appointed to conduct internal control visits/meetings. These Councillors were not appointed at the annual meeting although those previously identified have met with the Town Clerk in that function. The Council is REQUESTED to consider and approve the internal control procedures and appoint Councillors to conduct internal review visits.

RESOLVED that:-

Councillors Burnham, James, and Sawford be appointed as internal control Councillors.

251./18 TO RECEIVE THE FINANCE REPORT

Extracted from the report of the Town Clerk:

The Council is RECOMMENDED to approve the report (Appendix C).

It was noted that the correct name of the grant recipient was Desborough Town Junior Football Club.

RESOLVED that:-

the report be noted.

252./18 TO CONSIDER AND IF SO RESOLVED TO APPROVE ACCOUNTS FOR PAYMENT

Extracted from the report of the Town Clerk:

The report set out at Appendix D details those invoices and payments for payment, those authorised in accordance with the scheme of delegation, and those where payment is by continuous authority; and the Council is RECOMMENDED to approve payment. Details in the report will be updated before the meeting as information is received.

RESOLVED that:-

the payments listed in the report be approved.

253./18 TO CONSIDER THE REPORT OF THE INTERNAL AUDITOR

Extracted from the report of the Town Clerk:

The Council's internal audit service is provided through Northants CALC. The interim internal audit report is attached at Appendix E.

Initialed by Chair: _____

The auditor draws the Council's attention to the following matters (the Town Clerk's comments are in brackets):-

- a. the Council needs to formally appoint the Town Clerk and RFO (dealt with elsewhere on the agenda);
- b. the need to review the Financial Regulations to ensure all relevant statutory requirements are covered (draft revised Financial Regulations will be submitted to the March meeting);
- c. Bank reconciliations not being demonstrable (bank reconciliations are being carried out but to coincide with dates of meetings rather than the dates of bank statements. These reconciliations recorded in Council minutes were pointed out to the auditor. The Town Clerk has now completed the set of reconciliations as required by the internal auditor. The migration to the new finance software is almost complete and future reconciliations will be carried out on the bank statement dates.);
- d. Internal controls not being carried out (this refers largely to Councillor oversight. The Town Clerk demonstrated that this was carried out, however confirmation of arrangements is dealt with elsewhere on the agenda)
- e. the level of the Council's reserves is "significantly higher than the annual precept, I would expect to see an explanation provided to me at the year-end audit and shown as a resolution on the Town Council's minutes" (the external auditor, PKF Littlejohn LLP, has recently stated that reserves of twice precept would be acceptable. On that basis, the Council could carry over £280,000 (the 2018/19 precept) times two, or £560,000 without attracting the Auditor's interest. However, another agenda item deals with this.);
- f. financial risk assessments need to be adopted in each financial year (this was in the work programme and is dealt with elsewhere on the agenda);

The Council is REQUESTED to consider the report of the internal auditor.

The Chair reported that some of the issues raised were already being addressed and that there was a clear plan of action to address the remaining issues at the March meeting.

RESOLVED that:-

the report be noted.

254./18 TO CONSIDER THE COUNCIL'S TRAINING NEEDS

Extracted from the report of the Town Clerk:

The Council has previously resolved to appoint NCALC to provide three training sessions for the Council. These sessions are being organised (it is hoped that the first session will be in March) but in the meantime the Council is REQUESTED to consider whether Councillors should attend other, more specialised, training; and if so to approve a process for approving attendance (within budget).

RESOLVED that:-

requests for Councillor training be reported to the Council for determination.

255./18 TO CONSIDER THE PLANNING AND LICENSING REPORT

Extracted from the report of the Town Clerk:

In accordance with the views expressed by Councillors, any comments which were uncontentious and uncontested were submitted to the relevant authority as set out in the report attached at Appendix F. The Council is REQUESTED to consider any comment on any of the applications listed.

RESOLVED that:-

the Town Clerk be authorised to object following consultation with Councillors, to matters DA/2017/0442 (on the grounds of overdevelopment in the countryside and other material matters), and application KET/2018/0950 (including the grounds of safety, layout, and other material matters).

256./18 TO CONSIDER AND EARMARK RESERVES INTO 2019/20

Extracted from the report of the Town Clerk:

The Council is required to maintain adequate financial reserves (Sections 32 and 43 of the Local Government Finance Act 1992), however, there is no specified minimum level of reserves that an authority should hold, and it is the responsibility of the Responsible Financial Officer to advise the Council about the level of reserves and to ensure that there are procedures for their establishment and use. The External Auditor has indicated that reserves of more than twice precept would be considered "high" and require explanation.

Reserves can be categorised as General or Earmarked.

General Reserves: are funds which do not have any restrictions as to their use. These reserves can be used to smooth the impact of uneven cash flows, offset the budget requirement if

Initialled by Chair: _____

necessary or can be held in case of unexpected events or emergencies. The level of General Reserves is a matter of judgement.

Earmarked Reserves: are established on a "needs" basis, in line with anticipated requirements. Earmarked reserves can be held for different reasons:

- Carry forward of underspend – if expenditure is committed to projects but cannot/is not spent in the budget year. Reserves are used as a mechanism to carry forward these resources.
- Other earmarked reserves may be set up from time to time to meet known or predicted liabilities (such as funding elections or polls).

Any decision to set up a reserve must be by resolution of the Council. Expenditure from reserves can only be authorised by the Council. All Earmarked Reserves are recorded on the Parish Council's accounts.

The Council is REQUESTED to give its views about earmarking reserves in general and to defer the earmarking of reserves to the March meeting when the level of funds carried forward will be known.

RESOLVED that:-

a decision on the matter be deferred until the March meeting.

257./18 TO DETERMINE THE COUNCIL'S SCHEDULE OF MEETINGS FOR 2019/20

Extracted from the report of the Town Clerk:

As Members will know, the Council traditionally meets on the third Thursday of the month at 7pm (excluding August). In addition, an Annual Town Meeting must be held between 1 March and 1 June. In many cases it can be convenient to hold this meeting on the same evening as an ordinary Council meeting (often the ordinary meeting of the Council).

The Schedule of meetings in accordance with this practice is as follows:-

Meeting	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Ordinary Council	21	18	16	20	18	-	19	17	21	19	16	20	19	16
Annual Town Meeting														

Questions have been raised about the proposed date of the December meeting, given that it is six days before Christmas.

The Council is REQUESTED to determine the schedule of meetings for the 2019/20 municipal year.

RESOLVED that:-

a date for the annual town meeting be set for 23 May 2019, and the December Council meeting be held on 12 December 2019.

258./18 TO NOTE ITEMS OF INFORMATION

Extracted from the report of the Town Clerk:

The report of the Town Clerk (Report No 1) contains information on the following matters and the Council is RECOMMENDED to note the information contained in the report. No decisions of a financial nature will be made in relation to this item.

258.1/18 To note any report received from the County Councillor

The Town Clerk reported that the County Councillor had indicated that he was attending the County Council's budget meeting and would report on that meeting at the next Town Council meeting.

258.2/18 To note any report received from Kettering Borough Councillors

In response to a comment about Desborough's Borough Councillors, and County Councillor, not attending meetings of the Town Council it was suggested that they all be invited to the March Town Council meeting to speak to a specific agenda item.

258.3/18 To receive any report on Vehicle Speeds, Traffic, and CCTV

A member of the public reported that the CCTV cameras in Desborough were functioning and that the cost of necessary telephone line rental for one camera was about £1,000 per year.

258.4/18 To receive and note updates from Desborough community groups and representatives

258.5/18 To note any report received from the Police

258.6/18 Town Council membership

Initialed by Chair: _____

The Town Clerk reported that an announcement would be made in the following week.

258.7/18 *Council website*

**RESOLVED that:-
the information contained in the report be noted.**

The meeting closed at 19:51

Signed by the Chair: _____

Date: _____

Initialed by Chair: _____

DESBOROUGH TOWN COUNCIL
21 FEBRUARY 2019

APPENDIX A**Governance Risk Assessment**

See attached.

DESBOROUGH TOWN COUNCIL
21 FEBRUARY 2019

APPENDIX B**Internal Control Procedures**

See attached.

DESBOROUGH TOWN COUNCIL
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APPENDIX C**FINANCE REPORT**
Monthly Bank Reconciliation

	Bank Statement date	Monday of meeting week
Bank reconciliation	30/01/2019	18/02/2019
Barclays Current	£17,895.47	£14,996.47
Barclays Business Saver	£515,522.27	£515,522.27
Unpresented payments	£3,621.97	£3,621.97
Payments made but not on bank statement	£0.00	£2,899.00
Reconciled Balance	£529,795.77	£523,997.77

Unpresented payments

Cost centre	Code	Description	Total	Comment
Administration	Community Grant	Desb Town Junior FC	£500.00	Cheque not presented
Administration	Community Grant	Desb District Guiding	£150.00	Bank details received 19/02/19
Administration	Community Grant	Vine Community Trust	£500.00	Delayed start to works, payment to now be made
Administration	MS Office	MS Office Business for Mac	£113.76	Purchase not yet made
Democratic Services	Employment Costs	HMRC	£2,358.21	Quarterly payment due
Balance			£3,621.97	

Payments made but not on Bank Statement

Cost centre	Code	Description	Total
Town Council Office	Rent	LGSS	£2,000.00
Administration	Website / domain / email	NetWiseUK	£899.00
Balance			£2,899.00

Initialled by Chair: _____

DESBOROUGH TOWN COUNCIL
21 FEBRUARY 2019

APPENDIX D

ACCOUNTS FOR PAYMENT

Supplier	Reason	VAT	Total Amount	Notes
Graham Thomson	Salary (February 25 hours / week) Overtime (January hours)	£0.00	£2,051.96	
HMRC	PAYE / NI (employee's and employer's contributions) January	£0.00	£876.30	To be paid in March
LGSS Pensions	Pension (employee's and employer's contributions) January	£0.00	£952.85	To be paid in March
Society of Local Council Clerks	Subscription and membership	£0.00	£196.00	
Printerinks4u	Printer toner	£25.65	£153.89	
Northamptonshire County Council (LGSS)	Quarterly Rent for Town Council offices	£0.00	£2,000.00	Approved in accordance with delegated powers
NetWiseUK	Premium package support and Maintenance of website.	£0.00	£899.00	
Talk Talk Business	Internet and telephone	£9.59	£57.67	Continuous authority for payments (amount may vary slightly month to month)

Initialed by Chair: _____

Interim Internal Audit Report

Northants CALC IAS

Interim Internal Audit Report

Name of council:	Desborough Town Council		
Name of Internal Auditor:	Mrs Tina Charteress	Date of report:	12 th February 2019
Year ending:	31 March 2019	Date audit carried out:	8 th February 2019

Internal audit is the periodic independent review of a council's internal controls resulting in an assurance report designed to improve the effectiveness and efficiency of the activities and operating procedures under the council's control. Managing the council's internal controls should be a day-to-day function of the staff and management and not left for internal audit.

The council is required to take appropriate action on all matters raised in reports from internal and external audit and to respond to matters brought to its attention by internal and external audit. Failure to take appropriate action may lead to a qualified audit opinion.

To the Mayor of the Town Council:

Thank you very much for the hospitality shown during my visit to conduct the Interim Internal Audit for Desborough Town Council.

I examined Book Keeping, Due Process, Risk Management, Bank Reconciliations, Internal Control and performed a detailed scan of the minutes up to and including the end of December 2018.

I draw your attention to the following comments:

- I note that there have been some changes in staffing over the last year which have not been shown as decisions resolved in the Town Council's minutes
- The Town Council has never formally appointed a new Clerk and has never formally appointed a Responsible Financial Officer which is has a statutory duty to do in accordance with section 151 of the Local Government Act 1972
- The Council has re-written several of its policies to read in "Plain English". I was very pleased to see the Council has taken the time to personalise its policies, but I am concerned the Council has missed key information. I give an example of the Financial Regulations which do not show any process for the procurement of tenders; this is a key procedure following the Public Contracts Act 2015. I would advise the Town Council to refer to the generic policies produced by NALC to ensure key pieces of legislation have not been missed and then re-adopt an amended version
- One of my key tests when performing an audit is to check bank reconciliations have been completed and that the figures match both the bank account and the accounts. The Clerk is currently moving to a new finance system and was unable to demonstrate any form of bank

Initialled by Chair: _____

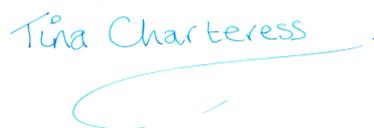
reconciliation against the accounts. I understand the bank account is being reconciled against the entries made, but this is not sufficient. On my next visit I will be testing this process again and would expect to see quarterly bank reconciliations as a minimum. I will also be testing VAT against the accounts system, invoices and the VAT refund

- The Town Council is not carrying out any form of Internal Control. It should have appointed an Internal Control Councillor/Councillors who should not be a bank signatory. Had this process been in place the lack of bank reconciliations would have been noted. The Town Council has a duty to perform Internal Controls to ensure risk is appropriately managed, to detect inaccuracies including fraud and to demonstrate measures to ensure the financial transactions of the Council are being properly recorded
- I have advised the Clerk to ensure the Financial Risk Assessments are adopted within the current financial year; this is a statutory requirement and failure to do so will result in a qualification of audit
- Town Councils have no legal powers to hold reserves other than those for reasonable working capital needs or specifically earmarked purposes. If the general reserve carried over to 2019/2020 is significantly higher than the annual Precept, I would expect to see an explanation provided to me at the year-end audit and shown as a resolution on the Town Council's minutes

I appreciate this has been a year of tremendous change for Desborough Town Council; it is obvious from the minutes. Most of the above items I have raised can be addressed before the year end and I look forward to returning to Desborough Town Council shortly to complete the full Internal Audit.

This report is based on the evidence made available to me. It would be incorrect to view internal audit as the detailed inspection of all records and transactions of a council in order to detect error or fraud. Consequently, the report is limited to those matters set out above.

Yours sincerely,



Mrs Tina L Charteress CiLCA

Internal Auditor to the Council

07818 084231

tcharteress@gmail.com

Initialled by Chair: _____

Planning and Licensing Matters

KET/2018/0951

60 Queen Street, Desborough

Alterations to windows on rear and side elevations and reconfiguration of internal layout including stairwell (see KET/2016/0690 - Conversion of existing building to 8 no. apartments).

KET/2018/0926

86 Pioneer Avenue, Desborough

Two storey rear extension and installation of French doors and Juliet balcony to rear first floor bedroom.

KET/2019/0044

117 Union Street, Desborough

Proposed development: KET/2018/0905 (Single storey rear extension and raised veranda):

Replace door with window on South elevation, replace window with door on East elevation and reduce size of proposed veranda.

KET/2019/0033

60 Queen Street, Desborough

Proposed development: KET/2016/0690 (Conversion of existing building to 8 no. apartments):

Removal of 3 no. windows to rear elevation and re-configure internal layout to the communal area to allow for bike storage.

KET/2019/0018

30 Upper Dane, Desborough

Proposed development: Single storey rear extension.

KET/2019/0027

Desborough (land to south of), Desborough

Proposed development: KET/2016/0044 (Residential development of up to 304 dwellings with associated access, infrastructure, public open space, nature areas and surface water management measures): Amended wording of condition 24 relating to off-site highway works.

KET/2019/0017

42 Gladstone Street (land adj), Desborough

Proposed development: Variation of condition 5 (g) of KET/2017/0978 in respect of brick type to be replaced with Victorian Mellow 215mm x 102.5mm x 65mm.

KET/2017/1019

Outline Application: Development of up to 135 no. dwellings with means of access considered at Buxton Drive & Eyam Close (land off)

This refers to an additional traffic assessment relating to Castleton Road / Arthingworth Road / Braybrooke Road route from the site.

KET/2019/0076

50 Federation Avenue, Desborough

Proposed development: Single storey rear and side extension.

Initialled by Chair: _____

KET/2019/0071

The Kings Arms, 111 High Street, Desborough

Proposed development: KET/2017/0593 (Change of use from former guest rooms to 4 no. flats, demolish glazed canopy, single storey rear and side extensions): Insertion of external door and retention of internal wall.

KET/2019/0091

211 Dunkirk Avenue, Desborough

Proposed development: Single and two storey rear extension.

KET/2019/0079

Desborough Lodge, Rothwell Road, Desborough

Proposed development: Conversion of barn to granny annexe.

DA/2017/0442

This application is outside our area but is close to the boundary. The matter relates to a retrospective application for stationing three additional residential mobile homes at the travellers' site on Braybrooke Road. It falls in Daventry District. The application was refused but the applicant has appealed. There will be an informal hearing by the Planning Inspectorate. If the Council wishes to make comments we must do so directly to the Planning Inspectorate.

Information Items

258.1/18 To note any report from the County Councillor

258.2/18 To note any report from the Kettering Borough Councillors

Cllr Mark Dearing:
Cllr June Derbyshire:
Cllr David Soans:
Cllr Mike Tebbutt:

258.2/18 To receive any report on Vehicle Speeds, Traffic, and CCTV

258.4/18 To receive updates from Desborough community groups and representatives

258.6/18 To note any report from the Police

258.6/18 Town Council membership

Eamon Gilbey has ceased to be a member of Desborough Town Council (DTC) by reason of non-attendance at meetings over a six month period (as outlined by statute - apologies must be **approved** not just presented). Ordinarily the Town Council would have declared the vacancy and would move to advertise it. This allows any ten electors to requisition a poll (a by-election). If no by-election is called then DTC can seek to co-opt. However, in the six months prior to the date of an ordinary election (originally scheduled for May 2019) there is no provision for a by-election to be held, so the Council would move straight to co-option. The six month period referred to above began at the start of November 2018. However the *Northamptonshire (Changes to Years of Elections) Order 2018* came into force in January 2019 and the consequence of this was that it moved the election date back twelve months. Unfortunately, the Order was silent on the impact of this change on the six month rule as outlined above.

This situation affects all Councils named in the Order. Therefore, colleagues at the Borough Council have requested guidance on behalf of all District/Borough Councils (and by implication the Parish/Town Councils in their areas) in the North Northamptonshire area from the Ministry of Housing, Communities and Local Government (MHCLG) which is the Government department responsible for drafting the Order referred to above. Although this was requested in mid-January, no advice has yet been received. Therefore the MHCLG has again been requested as a matter of urgency to outline what course of action should be taken by all affected Councils in Northamptonshire when a vacancy arises. Until the advice is received from MHCLG, it is unclear whether the vacancy can be filled by election, or must be filled by co-option. Colleagues at KBC have assured DTC that they are pressing MHCLG for an urgent response to this issue so that it is clear what the correct process is and to ensure all such vacancies are filled in accordance with the law.

258.6/18 Council website

In accordance with the decision at the last meeting, the Town Clerk, in consultation with the Chair, appointed NetWiseUK to provide the domain, website and email. The cost of the setup was £599 and the annual fee is £300. Quotations from three companies were provided and ranked on the basis of usability, customer experience, operator experience, and cost.

The new website is not yet complete and there were some difficulties encountered in the transfer process. The Town Clerk will continue to update and populate the website.

Graham Thomson
Town Clerk

Initialled by Chair: _____