



**Desborough Town Council**  
Town Clerk: Graham Thomson  
High Street, Desborough, NN14 2QS  
01536 628816 clerk@desboroughtowncouncil.gov.uk

To: All Town Councillors

You are hereby summoned to attend the Meeting of Desborough Town Council to be held in the Library, High Street, Desborough on Thursday 20 February 2020, commencing at 7pm for the purpose of transacting the following business. Members of the press and public are invited to attend.

Signed,

Graham Thomson  
Town Clerk

14 February 2020

AGENDA

**163./19 CHAIR'S WELCOME AND ANNOUNCEMENTS**

**164./19 TO CONSIDER AND IF SO RESOLVED TO APPROVE APOLOGIES FOR ABSENCE**

**165./19 TO NOTE ANY DECLARATIONS OF INTEREST FROM COUNCILLORS**

**166./19 TO NOTE OR CONSIDER ANY REQUESTS FOR DISPENSATION**

To note any requests for dispensation for Councillors with an interest to be allowed to speak which have been considered by the Town Clerk in accordance with the Localism Act 2011 and the Council's Scheme of Delegation, and to consider any such applications not yet determined.

**167./19 TO APPROVE THE MINUTES OF THE MEETINGS HELD ON 16 AND 23 JANUARY 2020**

**168./19 TO HEAR REPRESENTATIONS FROM MEMBERS OF THE PUBLIC**

Note: no decisions can be made in response to matters raised under this item.

**169./19 POLICE REPORT / CRIME FIGURES**

The latest crime figures for the Kettering sector, Loatland area and St. Giles area should be available at the meeting.

**170./19 TO CONSIDER THE COUNCIL'S RESPONSE TO THE FINDINGS OF THE STANDARDS COMMITTEE IN RESPECT OF A FAILURE TO DECLARE INTERESTS**

Pursuant to the decision at the last meeting, the Borough Council was informed that the Council had decided to not accept the recommendation to cancel the dispensations for the four Trustee Councillors (three who had been found to have failed to declare interests within the 28 day period and a further Councillor who subsequently became a Trustee.

At its meeting 3 February 2020, the Borough Council's Standards Advisory Committee considered the Council's response. The Monitoring Officer subsequently emailed the Town Clerk as follows:-

*"Graham*

*"You will be aware that I took a report to the Standards Committee on Monday 3<sup>rd</sup> February reporting the outcome of the standards investigation into Desborough Town Councillors. Your email explaining their decisions and actions was helpful.*

*"Standards Advisory Committee members were very disappointed that the Town Council had elected not to set aside the dispensations that had been granted last summer to those councillors who had a conflict of interest and who had subsequently - and promptly - apologised for not declaring that conflict of interest after the investigation report had concluded they should have done so. It was felt that maintaining the dispensations undermined the sincerity of the apology and did not address the core issue that a conflict of interest should be dealt with by absenting oneself from the decision making process one way or another.*

*"The Standards Advisory Committee have therefore asked the Town Council to think again and reconsider their decision. A statement in principle and an action by each member not to apply the dispensation is all that is required to close this item down.*

*"The Committee also took the view that training for all Desborough Town Councillors was required on standards issues in future and they have asked me to organise such training.*

*"Please can you let me know that this item and email will be placed on your next Town Council agenda?"*

*Yours  
Martin Hammond  
Executive Director"*

The Council is RECOMMENDED to consider the Borough Council's request.

171./19

**TO RECEIVE AND COMMENT ON THE COUNTY COUNCIL'S CONSULTATION ON THE PROVISION OF PUBLIC CHARGING POINTS FOR ULTRA-LOW EMISSION ('PLUG-IN') VEHICLES (ULEVS)**

The County Council has launched a consultation into the possible installation in Desborough of two charging points for electric vehicles. We know from our recent consultation exercise that 29 people actively supported the installation of such charging points and seven were against. The information provided with the consultation explains how sites are selected:

When looking for potential locations for electric vehicle charging points, Virgin Media and Vattenfall consider a number of different criteria. Various technical aspects are taken into consideration to ensure the safety of users. For this reason, it is not always possible to install charge points in certain locations:

- Electric Vehicle registrations in the local area;
- Resident requests for electric vehicle charging points;
- Predicted future update data;
- Access to off-street charging;
- Areas close to high streets and local amenities;
- Away from live equipment e.g. lamp posts (at least 2.5m);
- Away from the front of residential homes;
- Areas where there is a good pavement width to allow for charge points and pedestrians;
- Areas with existing power and connectivity.

The consultation runs until 24 February 2020 and is accessed online here [www.surveymonkey.com/r/nccvpach](http://www.surveymonkey.com/r/nccvpach)

The proposed locations are Princes Avenue and Pioneer Avenue (the location plans in a Desborough context <https://ibb.co/VvkZvz6>)

Princes Ave (Google Map link here <https://ibb.co/n7ZRhNb>)

The footpath in this location is quite narrow, is just off a 90 degree corner, and the houses opposite face the site. It has been suggested that the proposed site does not have "a good pavement width to allow for charge points and pedestrians", and is not "away from the front of residential homes".

Pioneer Ave (Google Map link here <https://ibb.co/7XvpMXY>)

This site does not appear to have "a good pavement width to allow for charge points and pedestrians" but more importantly, the undeveloped area shown on Google maps has had planning consent since April 2017 for four dwellings, and these are now almost complete. Therefore the proposed site is not "away from the front of residential homes", there would be houses facing the site from both sides.

It is also important to note that the location photographs show four spaces at each site but the stated intention is to have only two.

It has been suggested that if either or both of these locations is rejected, an alternative would be the site of the former toilet block on Buckwell Street.

The Council is REQUESTED to consider its response to the consultation

172./19

**TO CONSIDER COMMUNITY GRANTS**

In accordance with the Community Grants Awarding Policy the Council considers recommendations from the Community Grants Advisory Panel on applications for grants received from organisations. The policy contains, amongst other provisions:-

- any grant awarded is at the discretion of the Council and will not normally exceed £1,250;
- it is a condition of any grant application that the activity must bring direct benefit to the residents of Desborough. The Council cannot give financial assistance to individuals under this Policy.

Three applications were received in the recent application round, and a meeting of the Awards Panel was convened. The meeting was attended by Councillors and a community member and the following recommendations made:

**172.1./19 Desborough in Bloom**

The request was for £1,250 out of a total of £2,500 for the purchase of plants and compost to enable planting of baskets, tubs, pagoda, and troughs. The remaining funds will be raised from other sources to supplement the grant request. Without a grant from the Council, or with a smaller grant, further fundraising would be undertaken and the activity would be reduced.

The Advisory Panel recommended a grant of £1,250. The Council is REQUESTED to determine whether any award should be made and if so to determine the amount.

**172.2./19 Rothwell North Working Party**

The request was for £1,000 out of a total of £1,000 for advertising and campaigning costs in relation to the planning and construction of the Rothwell North development. Without a grant from the Council, or with a smaller grant, the activity would be reduced.

The Advisory Panel recommended a grant of £600. The Council is REQUESTED to determine whether any award should be made and if so to determine the amount.

**172.3./19 Citizens Advice Services Corby and Kettering**

The request was for £5,000 out of a total of £5,000 for the continuation of scheme of home visits to Desborough residents. Without a grant from the Council, the project would not go ahead. With a smaller grant the activity would be reduced.

The Advisory Panel recommended a grant of £5,000 as an exception to the normal maximum grant limit. The Council is REQUESTED to determine whether any award should be made and if so to determine the amount.

**172.4./19 Desborough Carnival Committee - Fireworks**

Members may also recall awarding a grant of £1,250 to Desborough Carnival Committee for the fireworks display. The event had to be cancelled at short notice on public safety grounds owing to the very poor weather conditions. Unfortunately there were payments made by the organisers which were not recoverable. The Advisory Panel considered these costs (relating to the fireworks company and the insurance) and recommended that the grant should still be paid in full. The Council is REQUESTED to determine whether the award should be made and if so to confirm the amount.

**173./19 PARKING AT LOATLANDS PRIMARY SCHOOL**

A request was made to the County Council for the establishment of a parking space dedicated for the use of people with disabilities outside Loatlands Primary School in Harrington Road. There are already two such spaces outside Havelock Junior School

As Members will recall, there is a legal process involved in such road changes leading to a Traffic Regulation Order which includes consultation and potentially a period of dealing with any objections, before any changes can be made to the highway. The County Council currently reviews requests on an annual basis as part of a series of reviews in each of the Districts and Boroughs around the County. The process can take up to 18 months to complete, with assessments starting in Spring/Summer ready to advertise proposals in Autumn/Winter each year. As part of this process, the views of the Town Council should be sought. There is no suggestion that the Town Council should contribute financially to the scheme.

The Council is REQUESTED to consider placing on record its support (or otherwise) for the provision of a disabled parking space outside Loatlands School.

**174./19 TO CONSIDER POLICIES AND DOCUMENTS FOR REVIEW**

As members will be aware, it is necessary for the Council to review the Standing Orders and the Financial Regulations each year, and it is appropriate to consider the Scheme of Delegation at the same time (the final of the four "constitutional documents"). These

documents will be presented to the March meeting and proposed amendments will take into account experience since they were last reviewed.

The Council currently has over 25 other policies, procedures, and assessments. It has been suggested that two or three of these be reviewed at each ordinary Council meeting on a rolling basis, with any additional documents fitting into the review cycle as appropriate.

Members are REQUESTED to:-

- (a) advise the Town Clerk by 8 March 2020 of any suggested changes to the three remaining constitutional documents;
- (b) approve a rolling programme of review of the remaining documents as suggested.

**175./19 TO CONSIDER A TRAINING POLICY**

As Members know, the Council has a comprehensive list of policies. However, one policy recommended by Northants CALC which the Council does not have relates to training. NCALC recommends that Council have a “*Training Statement of Intent*” and a “*Training Plan*”. A draft Training & Development Policy incorporating the two is being prepared and will be circulated before the meeting as Appendix A.

The Council is REQUESTED to consider the draft policy.

**176./19 TO CONSIDER A REPORT RELATING TO THE SALE OF DESBOROUGH LIBRARY BUILDING**

As members will recall, the Council has repeatedly voted to set aside money for the preservation of library services in Desborough. Most recently, in July 2019 a detailed and specific set of resolutions was made to enable the library building to be purchased by the Charitable Incorporated Organisation Desborough Library and Community Hub (DLCH) whilst protecting the Council’s investment.

There have been protracted and difficult discussions, and innumerable twists and turns in making progress towards the current position. Set out below is a section by section update alongside the text of the Council’s resolution.

Resolution	Update
(i) <i>the Town Clerk be authorised to secure appropriate legal advice on any matter related to the proposals to protect the Council and its assets as set out in the report, and to act on advice given;</i>	Following a quotation exercise, the town and parish Council specialist team from Wellers Hedleys (Wellers Law Group LLP) was appointed as the Council’s legal team. Their work has included liaising with the solicitors of the other three parties involved, and advising on the legal charge questions and the lease documentation for the Council’s offices.
(ii) <i>DLCH and the Town Council shall be responsible for their own legal and other fees in relation to this matter;</i>	The total cost of the legal fees is currently estimated at £1,150 plus VAT. This sum includes the separate issue of the Council’s lease for the office accommodation which expired at the end of last year and would have had to be renewed anyway.
(iii) <i>it shall be a condition of any grant or loan that the Council’s lease for the office accommodation in the property must be continued on broadly similar terms for a minimum of five years (to December 2024) with scope for only an inflation-related increase the at mid-term review;</i>	The draft lease affords the Council broadly the same terms as the previous lease with the County Council. The proposed lease runs to 31 March 2025; has a rent review date of 1 April 2023, and any rent increase is related directly to the RPI (rounded up to the nearest £250). It also covers usage of the library by the Council and of the Council’s large meeting room by the Library, and removes the recharge for utilities.
	It is not possible for the Council to sign a formal lease with DLCH unless the latter owns the building. In order to comply with this resolution a lease agreement will be signed guaranteeing the lease on the terms agreed.  NB. Dates may change slightly depending on the date of commencement of the lease.

Resolution	Update										
<p>(iv) <i>a building purchase loan of £120,000 be made to DLCH in perpetuity as a first charge on Desborough Library, High Street, Desborough, NN14 2QS, (“the property”);</i></p>	<p>The County Council offered the building for sale at £360,000. This is funded as follows:-</p> <table border="0"> <tr> <td>MECT</td> <td>£150,000</td> </tr> <tr> <td>DTC</td> <td>£120,000</td> </tr> <tr> <td>NCC</td> <td>£90,000</td> </tr> </table>	MECT	£150,000	DTC	£120,000	NCC	£90,000				
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DTC	£120,000										
NCC	£90,000										
	<ul style="list-style-type: none"> <li>The NCC contribution is, in effect, a discount but it is legally classed as a deferred payment, meaning that the “purchase price” is actually £270,000.</li> </ul>										
	<ul style="list-style-type: none"> <li>The MECT contribution is a loan for a five year period repayable if the building ceases to be a functioning library or is sold during that period. After the five years the loan is converted to a grant.</li> </ul>										
	<ul style="list-style-type: none"> <li>All three funders require a charge on the property to ensure that they have first call ahead of ordinary creditors on the proceeds in the event that the building is sold. Eventually, agreement has been reached to resolve the conundrum of three first charges by way of the three parties having a first share of any proceeds in proportion with their contributions up to 100%</li> </ul>										
	<p>For a period of five years from the sale, a legal document (inter-creditor agreement) provides that if the property was sold, and sold for less than £360,000, each party would bear the shortfall based on the proportion of their respective initial loans:-</p> <table border="0"> <tr> <td>MECT</td> <td>41.7%</td> </tr> <tr> <td>DTC</td> <td>33.3%</td> </tr> <tr> <td>NCC</td> <td>25.0%</td> </tr> </table> <p>After five years MECT is removed from the equation and NCC and DTC will bear any shortfall based on the proportion of funding:</p> <table border="0"> <tr> <td>NCC</td> <td>42.9%</td> </tr> <tr> <td>DTC</td> <td>57.1%</td> </tr> </table>	MECT	41.7%	DTC	33.3%	NCC	25.0%	NCC	42.9%	DTC	57.1%
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	<p>The building purchase loan payment will be made to the client account of the Council’s legal advisors Wellers Hedleys (Wellers Law Group LLP) for onward transmission in accordance with accepted commercial practices.</p>										
<p>(v) <i>in the event that the property is subsequently sold:-</i>  <i>(1) if no other property in the Town Council’s area is procured by with or for DLCH or any successor to provide library services then the building purchase loan (£120,000) shall be repayable to the Town Council immediately on the sale;</i></p>	<p>This provision is included in the charge document between the Council and DLCH.</p>										
<p><i>(2) if another property in the Town Council’s area is procured by with or for DLCH or any successor to provide library services using the proceeds of the sale of the current property then the building purchase loan will transfer to the new property on exactly the same terms;</i></p>	<p>This provision is included in the charge document between the Council and DLCH.</p>										

Resolution		Update
	<i>(3) if another property in the Town Council's area is procured by with or for DLCH or any successor to provide library services not using the proceeds of the sale of the current property then the building purchase loan shall become immediately repayable to the Town Council;</i>	This provision is included in the charge document between the Council and DLCH.
(vi)	<i>if at any time DLCH wishes to return the building purchase loan to the Council irrespective of the ownership of the property it may do so in full at one time and the restrictions and protections afforded by the charge on the property shall be removed;</i>	This provision is included in the charge document between the Council and DLCH.
(vii)	<i>a library running costs grant of £30,000 be made to DLCH after the completion of the purchase as a contribution towards the ancillary costs and running costs of the first year of operation;</i>	The grant will be paid in accordance with the resolution on completion of the purchase of the building.
(viii)	<i>any further grant or loan to be decided as part of the Council's annual budgetary process in future years;</i>	Budgetary provision of £15,000 for Grants to Organisations was made in the 2020/21 budget. No additional funding was set aside for DLCH or the library either within the Grants to Organisations budget or separately.
(ix)	<i>the remaining £60,000 budgetary provision be returned to the Council's general reserves."</i>	This has already been done.

In accordance with Standing Order 9.2.3, the Council is RECOMMENDED to approve the signing of the lease; the lease agreement; the legal charge; and the inter-creditor agreement.

177./19

**TO RECEIVE REPORTS ON ACTIVITY FROM BOROUGH COUNCILLORS, THE COUNTY COUNCILLOR, LOCAL GROUPS AND VOLUNTEERS**

**177.1./19 County Councillor Matthews**

Any report received from the County Councillor will be circulated.

**177.2./19 Borough Councillors**

Any report received from the Borough Councillors will be circulated.

**177.3./19 Rothwell North Working Party**

A meeting was convened by the Borough Council to discuss the latest proposals with regard to the development. The developer currently proposes that the spine road will be opened on occupation of the 150th property (or three years). In the meantime, it proposes an amended version of the ANPR monitoring system previously discussed. It now proposes two ANPR cameras: one near the roundabout close to Eckland Lodge and the other at the entrance to the site.

The details of all vehicles heading into Desborough and passing Eckland Lodge on the B576 will be recorded. The details of all vehicles entering or leaving the development site will also be recorded. Finally, the details of all vehicles passing Eckland Lodge heading out of Desborough will be recorded. Put simply, every vehicle using the site should have its details recorded four times - if it doesn't then it cannot have used the approved route and the financial penalties process obtains. The data for all other vehicles will be filtered out so details of smaller vehicles will not be retained. Heavy vehicles which do not enter the site will be filtered out too; so deliveries to factories or other building sites will not be retained.

The developer points out that not all heavy vehicles in Desborough will be connected with the Rothwell North development and asks that if anyone suspects that a vehicle connected with the site is using any route to/from the site other than the A576 (Harborough Road / Rothwell Road) should take a note of the date and time, the number plate, and any contractor or company name on the vehicle. It is also worth noting that the ANPR system may not be in place from the first day of works at the B576 access.

The proposed alternative access directly onto the A6 has not been possible.

Restrictions on delivery times will also be in place to avoid times of expected conflict (08:00 - 09:00, 14:30 - 15:30).

**177.4./19 Other Groups**

Any reports received from other groups will be noted.

**178./19 TO RECEIVE AND NOTE THE PLANNING REPORT AND CONSIDER COMMENTING ON APPLICATIONS**

The planning and planning related applications and appeals notified by the Planning Authorities are set out at Appendix B. In accordance with the views expressed by Councillors, any comments were submitted to the relevant authority as set out in the report. The Council is REQUESTED to consider commenting on any applications.

**179./19 TO RECEIVE AND NOTE THE FINANCE REPORT**

The Council is RECOMMENDED to approve the report at Appendix C. Details in the report will be updated before the meeting as information is received.

**180./19 TO CONSIDER AND IF SO RESOLVED TO APPROVE ACCOUNTS FOR PAYMENT AND TO NOTE THOSE MADE IN ACCORDANCE WITH THE SCHEME OF DELEGATION**

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.

**181./19 TO NOTE INFORMATION ITEMS**

**181.1./19 Project Update**

Any update on projects will be presented.

**182./19 To Note the Data From the TVAS Speed Signs**

Details of the most up-to-date data relating to traffic speeds will be circulated at the meeting.

**182.1./19 End of Project Report - Citizens Advice Services Corby & Kettering**

The end of project of the project funded by the Town Council has been received. During the year, the organisation moved to larger premises and increased membership and participation.

**182.2./19 Annual Report - Desborough Shed**

The annual report of the Shed (Desborough Community Workshop and Studio Shed) has been received. During the year, the organisation moved to larger premises and increased membership and participation.

**182.3./19 To Receive an Update on the Reorganisation of Councils in Northamptonshire**

Any update received will be presented.

**Training & Development Policy**

Copy to follow

**Planning, Appeal, and Licensing Matters**

[KET/2020/0041](#)

7 Headlands, Desborough  
Single storey rear extension

[KET/2020/0088](#)

13 Addison Road, Desborough  
Single storey extension to extend beyond the rear wall of the original property by 6m with maximum height of 3.5m and an eaves height of 2.4m

[KET/2019/0878](#)

The Ritz and Conferencing Suites, 7-9 Station Road, Desborough  
Change of use from wedding venue and conference centre to a day nursery for up to 60 children, access ramps to South and East elevations

[Appeal APP/L2820/W/19/3241209](#)

An appeal against a refusal to determine an application (KET/2019/0521) at 13 Ironwood Avenue (1st & 2nd floor side with single story front extensions; raised roof to create flat roof terrace with glass barrier and lift access; vehicular access to garages; installation of solar panels, CCTV camera's, security lighting and signs; replace rear fencing with brick walls and increase height to 2.3m with additional 2.3m walls to front boundary with gates; 1.3m high canopy over rear garden).

The Planning Authority believes that there was insufficient detail and clarity of information to assess and/or determine the submission. In accordance with the delegation scheme, an objection was submitted stating that it was impossible to be clear from the information submitted by the applicant what is the exact scale and nature of the proposals and their impact on the property and the locality. From what can be seen, the proposals appear to be out of keeping with the open nature of the road and locality. The proposals might relate to an HMO which would be out of keeping with the area and may lead to an increased requirement for parking within the curtilage of the property.

If the Council's understanding of the proposals is correct, the proposals would be visually imposing and out of keeping especially with regard to the security wall with a height of 2.3 metres, and the glazed raised roof line.

In addition to the above, the proposals appear to include into the site a shared area of road to the rear of the property. It is the Council's understanding that this shared road is available for the use of several properties.

Refusal

[KET/2019/0606](#)

Residential development of up to 260 dwellings with access at land off Harborough Road.  
This application was refused by the Planning Authority (this Council submitted an objection).

**Finance Report**

Report to follow

**Accounts for payment**

Report to follow