
**Minutes of the meeting of Desborough Town Council
held virtually using video and audio links
on Thursday 21 January 2021**

Councillors present: L Burnham (Chair), S Draycott, J French, G Holmes, I James, B Keys, D Larmour, P Rogers, J Read, P Sawford, J Taylor, and J Watson.
Also present: G Thomson (Town Clerk), and four members of the community.

- 112./20 Chair's welcome and announcements.**
The Chair welcomed members of the public to the meeting and reported that the Borough Council had confirmed that the tree and landscaping work at the War Memorial was a continuation of the work from last year which had been phased to avoid too much being done at once. She added that the Borough Council had said that the timber should be removed in the next week or so followed by stump grinding, and that the replanting should begin in February. The Chair confirmed that the Borough Council had said that it would also be planting 15 new trees in Dunkirk Avenue recreation ground in February.
- 113./20 To consider changes to the Protocol on remote access to meetings**
Extracted from the report of the Town Clerk:-
Now that the protocol has been in place for some time it is opportune to review and refresh it in the light of experience locally and nationally. Amendments as set out in Appendix A have been proposed to enhance safety and security and to keep meetings running efficiently. The Council is RECOMMENDED to adopt the revised protocol with immediate effect.
**RESOLVED that:-
the revised protocol be adopted with immediate effect.**
- 114./20 To consider and if so resolved to approve apologies for absence**
The Town Clerk reported that no apologies for absence had been received.
**RESOLVED that:-
the information be noted.**
- 115./20 To note any declarations of interest from Councillors**
The following declaration was made:-
128./20 To Receive and Note the Planning and Licensing Report and Consider Commenting on Applications
Councillor Burnham stated that she had a non-registrable personal interest to declare in relation with application KET/2020/0888 and that if there was any discussion on that item she would not take part.
**RESOLVED that:-
the declaration be noted.**
- 116./20 To note or consider any requests for dispensation**
Extracted from the report of the Town Clerk:-
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.
The Town Clerk reported that no requests for dispensation had been received.
**RESOLVED that:-
the report be noted.**
- 117./20 To approve the minutes of the meeting held on 10 December 2020**
The minutes of the meeting held on 10 December 2020 had been previously circulated.
**RESOLVED that:-
the minutes be confirmed and signed by the Chair when possible.**
- 118./20 To hear representations from members of the public notified in advance of the meeting**
Extracted from the report of the Town Clerk:-
Note: no decisions can be made in response to matters raised under this item.
The Town Clerk reported that no requests to speak had been received.
**RESOLVED that:-
the report be noted.**

Chair: _____

119./20 To note the Council's response to the Planning Appeal relating to Land at Birchfield Spring Nursery, Rushton Road, Desborough

Extracted from the report of the Town Clerk:-

Members will be aware of the troubled history of the Birchfield Springs site (aka fish farm). The current situation is that following enforcement action by the Planning Authority (Kettering Borough Council) an appeal was lodged by Mr L Thomas against the Borough Council's decisions with respect to Birchfield Springs.

Although the site is in Rushton parish it obviously has a serious impact in Desborough. This is a formal appeal which will be determined by an external Inspector on planning points and points of law rather than emotion. Comments can be made by groups and individuals here <https://acp.planninginspectorate.gov.uk/ViewCase.aspx?Caseid=3253535>

Representations must be submitted by 20/01/2021 (before the Council's meeting). In accordance with the Council's Planning and Licensing Policy the Town Clerk will submit a response on behalf of the Council in accordance with the wishes of the majority of Councillors expressing a view. The Council is REQUESTED to note the response which will be circulated in due course.

It was noted that the Council's response was available on the Council's website as set out at Annexe 1.

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

120./20 To determine the Council's budget for 2021/22

Extracted from the report of the Town Clerk:-

The Council has a statutory duty to set a budget each year which should cover the cost of all its duties and any discretionary expenditure it might wish to make. Views expressed in the consultation process have been taken into account in preparing the DRAFT items for 2021/22. These are based on the best estimates of costs out-turns.

As last year, the draft figures cover the main cost centres:-

- *Democratic Services (including all staff costs direct and indirect, training, audit, Data Protection, Information Commissioner, publicity, elections/polls)*
- *Memberships and subscriptions (including county and national societies)*
- *Town Council Office (including rent, rates, connectivity, services, lease obligations)*
- *Administration (including office expenses, equipment, software, website, emails, insurance, Christmas lights, speed signs, pocket park, legal costs)*
- *Projects (including many of the suggestions made before and during the consultation)*

As last year, it is impossible to accurately gauge the impact of local government cuts and Local Government Reorganisation. Councillors are advised to make their own judgements about what services might be lost, cut, or offered to the Town Council and whether or not they wish to make provision for them. A cursory glance at other Councils' budgets and cuts might produce items such as: grit bins; grass cutting of verges; street lighting, and the Town Market.

What the Council could not have imagined in setting last year's budget was the pandemic and the impact Covid-19. It should go without saying that there have been significant delays in projects and activities caused by the lockdowns and with staff diverted to other duties

A draft budget has been circulated separately and will be available on the Council's website. Subject to the Council's decisions on projects and expenditure for the coming year, the Responsible Financial Officer would urge the Council to continue to aim to reduce the high level of balances within a three year period, and to earmark funds for items which it considers appropriate for the Town Council to fund (rather than another Local Authority). This would also allow the Council to manage the expenditure adequately, retain a buffer against the impact of the effects of the impending reorganisation of local government in the County, and current national uncertainties. Only after the Council has fixed its budget is it able to consider raising funds through a Council tax precept. The Council is REQUESTED to identify those items on which it wishes to proceed from reserves and earmarked amounts, and to approve the budget for 2020/21.

The Council considered the items in the draft budget and asked questions for clarification on some points. It was noted that as the year progressed, if other sources of funding were available, then applications could be made.

**RESOLVED that:-
the 2020/21 budget as set out in columns 1,2 and 3 of Annexe 2 be approved.**

121./20 To consider and determine any precept demand for 2021/22

Extracted from the report of the Town Clerk:-

If the Council determines that the expenditure budgeted cannot or should not be funded entirely from reserves and income, then it must resolve to make a precept (a charge from one local authority to another) specifying the rate of tax to be charged on its behalf. Currently, the capacity of Town and Parish Councils to set precepts is uncapped unlike Borough and County Councils. However, it is imprudent to assume that this situation will remain. If the Council chose to set a very low or even zero precept and the following year a cap was introduced the Council would not be able to function once balances ran out. Even if no such cap was introduced, to have a low (or nil) precept then to impose a precept which is dramatically higher would be unwise. Having said that, it would be equally unwise to attempt to reduce the Council's reserves within a single financial year. With regard to reserves, the Good Councillor's Guide to Finance and Transparency (DCLG) states: "Local councils need to hold an amount in reserves to meet unexpected expenditure,

Chair: _____

otherwise they could run out of money before the end of the financial year. A council should typically hold between 3 and 12 months expenditure as a general reserve.”

Kettering Borough Council requires the precept decision to be communicated to it before 22 January 2020. Following the setting of the budget earlier in the meeting, the Town Clerk will advise on the impact of the spending proposals and the possible precept. Calculation of the precept is based on the tax base which is the number of Band D equivalent properties that are relevant for each area. The illustrative tax base for Desborough the 2020/21 tax base was 3,804 band D properties. This tax base assumes a change to Council Tax support for 2021/22 which is currently under consideration.

For *indicative* purposes, the table below shows the spread of precept per property (figures subject to rounding errors):

Precept amount	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
Proportion	$\frac{6}{9}$ ths	$\frac{7}{9}$ ths	$\frac{8}{9}$ ths	$\frac{9}{9}$ ths	$\frac{11}{9}$ ths	$\frac{13}{9}$ ths	$\frac{15}{9}$ ths	$\frac{18}{9}$ ths
£1,000	£0.17	£0.20	£0.23	£0.26	£0.32	£0.38	£0.43	£0.52
£10,000	£1.75	£2.05	£2.34	£2.63	£3.21	£3.80	£4.38	£5.26
£15,000	£2.63	£3.06	£3.50	£3.94	£4.82	£5.69	£6.57	£7.88

It is **RECOMMENDED** that the Council determines any precept to be charged.

The Council considered the approved budget and the potential funding of it. The Town Clerk explained that if the Council approved the use of reserves and balances as set out and provisionally earmarked funds as set out then the overall precept amount would be £73,785 which would represent a reduction from the previous year and would mean a payment of approximately £19.40 for a band D property.

RESOLVED that:-

the earmarked items set out in Annexe 2 be approved and the Council fix a precept demand of £73,785 for 2021/22.

122./20

To receive the report of the Neighbourhood Plan Advisory Committee

Extracted from the report of the Town Clerk:-

The report of the meeting of the Neighbourhood Plan Advisory Committee is attached at Report No. 1. As part of its deliberations, the Advisory Committee noted that the Council would need assistance with the technical aspects of the work and suggested that external professional help be sought and that a consultant be engaged to lead the Advisory Committee through the necessary steps and to update the draft plan.

In accordance with views expressed, negotiations with the consultant used most recently were undertaken with a view to the consultant and the Advisory Committee working together to prepare a more comprehensive version of the Plan, gathering the evidence needed and aiming for a complete draft (in MS Word) by around July. This would require some community engagement which of course may be challenging based on the likelihood of Covid-related restrictions.

The cost will depend on the specific work carried out given that some policies may require further evidence and others may be removed. The maximum expected cost is anticipated at £5,700 to take the Plan through to its conclusion which would be accommodated within the Neighbourhood Plan budgetary provision. The costs are based on an hourly rate and any additional or extended time on elements would increase the cost. By the same token, any tasks undertaken more quickly or not carried out will reduce the charge for that element. The Council is able to engage the same consultant as previously used in accordance with Financial Regulation 4.12.

*The Council is **RECOMMENDED** to:-*

- a) *accept and adopt the report; and,*
- b) *consider and if so resolved to approve the appointment of Navigus Planning to carry out the work set out and take the Plan through to its conclusion at an estimated total cost of £5,700 (plus VAT).*

RESOLVED that:-

- (i) **the appointment of Navigus Planning to carry out the work set out and take the Plan through to its conclusion at an estimated total cost of £5,700 (plus VAT) be approved; and,**
- (ii) **the report be otherwise accepted and adopted.**

123./20

To approve a schedule of meetings for the 2021/22 municipal year

Extracted from the report of the Town Clerk:-

A schedule of proposed meeting dates has been devised. The schedule follows the Council's normal pattern of meeting on the third Thursday of the month except August when there is no meeting and December when the meeting is the second Thursday. Budget consultations are proposed for Thursday 7 October (7pm) and Saturday 9 October (10am) but other details will be confirmed nearer the time.

Meetings of the Council will take place in accordance with legislation at the time of convening or holding each meeting. Council meetings are likely to be physical meetings in Desborough Library, using online video and audio links (arrangements for each meeting to be advised separately), or a combination of both. All meetings will commence at 7pm (unless otherwise stated).

Chair: _____

The Council is **RECOMMENDED** to approve the undermentioned dates:-

Budget consultation: 07/10/21, 09/10/21 (10am)

Council meetings: 20/05/21, 17/06/21, 15/07/21, 16/09/21, 21/10/21, 18/11/21, 09/12/21, 20/01/22, 17/02/22, 17/03/22, 21/04/22, and 19/05/22

**RESOLVED that:-
the recommendation be accepted.**

124./20 To determine arrangements for virtual access to meetings

Extracted from the report of the Town Clerk:-

As Members might recall, the current rules on virtual meetings expire on 7 May 2021. This is the day after the scheduled elections. In Parliament on Wednesday 13 January 2021, the relevant Minister, Chloe Smith MP, said that changing the date of the election would need primary legislation, and although she said that the Government was keeping the situation under review she was clear that the elections would go ahead on the due date. She spoke about elections being Covid secure and that many comprehensive preparations had already been made. She said consideration has been given to options of early voting and to all-postal voting and both had been discounted on the grounds of involving new complexity. During the first lockdown, the Council, like many others, adopted the Zoom platform to enable remote access to meetings. This has worked reasonably well and the monthly cost is £11.99 plus VAT. However, there is an option to transfer to an annual subscription at a 20% saving (total price £119.90 plus VAT). Whether this represents value for money depends on taking a view about the ending of the virtual meeting rules. If the pandemic is over and physical meetings are permitted (and the remote access rules are not in place) then there will be no overriding need for Zoom. If the current rules on virtual meetings are extended, or if hybrid meetings are allowed, then the Council will need to continue with some form of online service. Although other services are available it is considered that changing to a different provider might lead to confusion and inconvenience.

*The Council is **RECOMMENDED** to approve an annual subscription to Zoom at a cost of £119.90 (plus VAT).*

**RESOLVED that:-
the recommendation be accepted.**

125./20 To appoint a delegate to attend a Local Government Reorganisation information event

Extracted from the report of the Town Clerk:-

The Northamptonshire County Association of Local Councils is hosting an information event on the morning of Tuesday 19 January 2021 to seek answers to questions about how the new unitary councils will operate, what the impact on town and parish councils will be, and what will happen to services being provided at the moment by the Borough, District and County Councils. The newly appointed Chief Executive Officer for the Council will be present to answer questions.

*The Council is **REQUESTED** to consider attendance and to designate one representative.*

It was noted that the event had already taken place.

**RESOLVED that:-
Councillor Sawford be authorised to attend future such events.**

126./20 To consider appointing a Police Liaison Representative

Extracted from the report of the Town Clerk:-

The Northamptonshire County Association of Local Councils has been working with Northamptonshire Police to establish a new approach to liaison between Parish and Town Councils and the Police. The idea is for each Council to appoint a person to act as a single point of contact for the Police. It is the same principle as the Parish Paths Warden Scheme for rights of way. If the Council agrees to join the scheme the person will receive regular updates from the police and an invitation to an annual briefing.

A rôle description for the Police Liaison Representative is available at <https://www.northantscalc.com/uploads/police-liaison-representative-role-description-vdec20.pdf>

*The Council is **REQUESTED** to consider appointing a representative.*

**RESOLVED that:-
consideration of the matter be deferred pending the provision of further information.**

127./20 Information items

Extracted from the report of the Town Clerk:-

*The Council is **REQUESTED** to note the information in the undermentioned reports.*

127.1./20 To receive any reports on activity from Members of the Borough Council, the County Council, the North Northamptonshire Shadow Authority, and any local groups and volunteers

Extracted from the report of the Town Clerk:-

Any other reports received will be circulated.

Former Borough Councillor June Derbyshire

The Council has been informed that June Derbyshire ceased to be a member of the Borough Council, with effect from 1 January 2021, as she failed to attend any meetings of the Council, or the shadow council, in the six months prior to that date. Accordingly, under S85 of the Local Government Act 1972, she automatically ceased to be a member of either Council. There will

Chair: _____

be no by-election to fill the vacancy created because it is less than 6 months of the date of the May elections.

Borough Councillor Mike Tebbutt

"I am pleased to be able to advise that a meeting of the KBC Planning Policy Committee will be held on January 27th. The main report will provide an update on the Examination of the Site Specific Part 2 Local Plan.

"The Inspector is reviewing the proposed Main Modifications and the next steps proposals are expected to be available shortly.

"A further update report will be received on progress of work on Neighbourhood Plans which will include Desborough's progress"

County Councillor Allan Matthews

• "MANSFIELD CLOSE CAR PARK

"I understand that a number of businesses in town are disturbed by a rumour that this car park was about to be fitted out as a pay and display car park. There is no truth in this rumour as neither KBC, nor NCC, has any such plan.

• "COUNCIL TAX FOR 2021/22

"The Shadow North Northamptonshire Unitary Council has advised on the levels of Council Tax for the year starting 1st April 2021. For Band D properties the charge appears to be £1532.90, plus Police, Fire and Crime Commission charge, plus Town or Parish precept [as appropriate].

• "FREE SCHOOL MEALS AT HALF TERM

"Pupils who are eligible for Free School Meals will receive support from NCC during the February half term. £750,000 is being made available to provide shopping vouchers for families with eligible children and these vouchers will be distributed by the schools. Further information: Liam Beasley on 01604 367324 or 07392 280476.

• "BIRCHFIELD SPRINGS [aka Fishing Lakes]

"Mr L Thomas is appealing against Enforcement Notice ENFO/2016/00136, served by KBC, for breaches of planning conditions at this site. The Enforcement Notice cites a long list of breaches covering minerals, waste materials, machinery, plant hire, residential use, repairing vehicles and plant and the access roads at the site. This is not a full description of the breaches listed but a summary of the issues covered in the Enforcement Notice which Mr Thomas is appealing against."

In response to questions, County Councillor Matthews explained that parking enforcement was being standardised across the North Northamptonshire Council area, and that he was unaware of any push for mandatory £70 fines for parking on footpaths but undertook to enquire and report back to the Council.

Borough Councillor French stated that he had nothing to report.

RESOLVED that:-

the reports be noted.

127.2./20 To note the consultation on the North Northamptonshire Council's budget

Extracted from the report of the Town Clerk:-

The shadow Authority is consulting on its proposed budget for 2021/22. Following the consultation, final budgets proposals will be put to the shadow executive on 12 February before appearing before the full shadow authority for final approval on 23 February 2021.

Details of the draft budget are here <http://cmis.northamptonshire.gov.uk/cm5live/MeetingsCalendar/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/3681/Committee/463/Default.aspx>

Comments can be made at <https://futurenorthants.citizenspace.com/north/budget-2021-22/> or by writing to: North Northamptonshire Shadow Authority Sheerness House, Meadow Road, Kettering, NN16 8TL

RESOLVED that:-

the report be noted.

127.3./20 To consider possible changes to Christmas Decorations in future years

Extracted from the report of the Town Clerk:-

Following the questions raised at the last meeting it has been confirmed that the arrangement with the Borough Council to store, erect, remove, and replace our Christmas decorations (and to provide the tree) will be transferred to the North Northants Council. For Christmas 2020, the Borough Council's new contractor experienced a few teething problems but these were resolved locally.

RESOLVED that:-

the report be noted.

- 127.4./20 To receive an update on the proposed CCTV upgrade**
 Extracted from the report of the Town Clerk:-
*No further information was received over the festive period.
 The Borough Council has now confirmed that approval has been given on the basis of the Town Council contributing towards the upgrade to the camera system as part of the main KBC CCTV system and the overall ownership of the system will remain with KBC. This is the Town Council's understanding too. Grant payments will be released to KBC in accordance with the Council's decision as proper financial details are received.*
**RESOLVED that:-
 the report be noted.**
- 127.5./20 To receive an update on the Braybrooke Road Play area**
 Extracted from the report of the Town Clerk:-
The Borough Council has received the Town Council's funding for this work and the procurement process is underway and Councillors will be kept informed of progress.
 The Town Clerk confirmed that the Town Council's grant for this work had been issued to the Borough Council.
**RESOLVED that:-
 the report be noted.**
- 127.6./20 To receive an update on the Greenspace area**
 Extracted from the report of the Town Clerk:-
Work has begun on drawing up the relevant contract procurement documentation.
**RESOLVED that:-
 the report be noted.**
- 127.7./20 To receive an update on the proposed one way system**
 Extracted from the report of the Town Clerk:-
No further information has been received over the festive period.
 The Town Clerk reported that he had been informed that an update was awaited from the engineering section on progress on the one way system.
**RESOLVED that:-
 the report be noted.**
- 127.8./20 To receive a report on crime in the Town**
 Extracted from the report of the Town Clerk:-
Details of the latest crime figures will be made available on the Council's website.
**RESOLVED that:-
 the report be noted.**
- 127.9./20 To receive a report on vehicle speeds in the Town**
 Extracted from the report of the Town Clerk:-
Details of the latest reports from the TVAS speed signs are available on the Council's website.
**RESOLVED that:-
 the report be noted.**
- 127.10./20 To note a report about vehicle movements into and out of the Rothwell North construction site**
 Extracted from the report of the Town Clerk:-
The Council is usually notified about vehicle movements into and out of the construction site and any violations of the approved routes by HGVs. The most recent information is:-
- | | | | |
|-------|---|-------|----------------------------------------------------------------------------------------------|
| 14/12 | - | 20/12 | 8 violations inwards and 0 violation outwards
(this represents a violation rate of 1.62%) |
| 21/12 | - | 27/12 | 2 violations inwards and 0 violation outwards
(this represents a violation rate of 1.12%) |
| 28/12 | - | 03/01 | 1 violations inwards and 0 violation outwards
(this represents a violation rate of 0.99%) |
| 04/01 | - | 10/01 | 9 violations inwards and 2 violation outwards
(this represents a violation rate of 2.38%) |
- During these periods, three of the breaches will not be actioned because two were on behalf of KBC and one was a delivery for a private customer.*
 In connection with this matter it was noted that about 40 properties were occupied and that a start on the construction of the link road would be soon required but it had been reported that delays had been caused by NCC Highways.
**RESOLVED that:-
 the report be noted.**

Chair: _____

- 128./20 **To receive and note the planning and licensing report and consider commenting on applications**
 The Chair reminded the meeting that she had declared a non-registrable personal interest in relation to application KET/2020/0888.
 Extracted from the report of the Town Clerk:-
In accordance with the views expressed by Councillors, any comments on applications which were uncontentious and uncontested were submitted to the relevant planning authority as set out in the report at Appendix B. The Council is RECOMMENDED to note the report and raise comment on any items not already submitted.
RESOLVED that:-
the report be noted.
- 129./20 **To receive the finance report**
 Extracted from the report of the Town Clerk:-
The Council is RECOMMENDED to approve the report (Appendix C).
 In response to a question, the Town Clerk undertook to provide Councillors a quarterly breakdown of expenditure.
RESOLVED that:-
the report be accepted and approved.
- 130./20 **To consider and if so resolved to approve accounts for payment and to note those made in accordance with the scheme of delegation**
 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. Details in the report will be updated before the meeting as information is received. The Council is RECOMMENDED to approve the payments.
 The Town Clerk requested approval for the payment to Zoom for January's subscription at a cost including VAT of £14.39.
RESOLVED that:-
the payments be authorised including the additional payment as set out.
- 131./20 **To receive the report of the Personnel Committee**
 Extracted from the report of the Town Clerk:-
The minutes of the meeting of the Personnel Committee are attached at Report No. 2 and the Council is RECOMMENDED to approve the report.
RESOLVED that:-
the report be accepted and adopted.

The meeting closed at 20:09.

Chair: _____

Date: _____

Chair: _____

Desborough Town Council
21 January 2021

Protocol on remote access to meetings

Background

This protocol will be observed for all meetings under the direction of Desborough Town Council to which *the Local Authorities and Police and Crime Panels (Coronavirus)(Flexibility of Local Authority and Police and Crime Panel Meetings)(England and Wales) Regulations 2020* apply. Meetings are open to the public and press unless there is an overriding reason for confidentiality (set out in other legislation). The protocol applies to everyone logging into meetings whether they are “participants” (voting Councillors and non-Councillor voting members); Unitary, Borough or County Councillors representing wards in Desborough; or “visitors” (members of the press and public). The protocol will be reviewed periodically and alterations may be made as a result.

Behaviours

The Council will not accept or tolerate any inappropriate behaviours, comments, postings, or contributions. Standing Orders including Standing Order 6.4 apply to remotely accessed meetings. However, given the immediate and potentially highly offensive nature of online abuse any suspected infringement will result in the host muting the feed from the alleged offender, returning them to the waiting room, and reporting the matter to the Chair. The Chair may either direct the host to close the connection to the party concerned if possible, or to readmit them to the meeting. The Chair may issue warnings about behaviour if they see fit. If it is not possible to exclude any contribution or contributor then the meeting may be terminated on the direction of the Chair, and resumed immediately afterwards excluding the party concerned. All those attending the meeting should be mindful that they may be seen, heard, and recorded; they should act in a manner appropriate to a formal Council meeting (this includes the use of virtual backgrounds and other images on screen); and be mindful that apps can access personal information.

1. Before the Meeting

- 1.1. The Town Clerk will make arrangements for the virtual meeting room and will publish the access information with the agenda.
- 1.2. At least two hours before the meeting, all participants should declare to the Town Clerk any interest in any matter to be discussed. If as a result of any interest declared, any participant would normally be required to leave the meeting room then the item may be moved to minimise the disruption to the meeting when the participant with the interest leaves the virtual meeting room.

2. Start of meeting

- 2.1. The Town Clerk will open the meeting room fifteen minutes before the advertised start time for the meeting and admit participants.
- 2.2. All participants:-
 - (a) will be unmuted as they enter the meeting room;
 - (b) will be asked to test their connection to ensure that they can hear and be heard by others, and if possible to see and be seen by others;
 - (c) should confirm that they are in as quiet a location as possible and that others will not interrupt or disrupt proceedings;
 - (d) should turn mobile phones off or to silent, unless being used for remote access to the meeting.

3. During the Meeting

- 3.1. The host will admit visitors to the meeting who will remain muted and with cameras turned off.
- 3.2. The Chair will welcome everyone to the meeting and will provide information for attendees.
- 3.3. The meeting protocol will be broadly as it would be in a traditional meeting in the Council’s normal meeting rooms; in summary:-
 - all contributions must go through the Chair,
 - items will be introduced,
 - participants may discuss the matter or ask questions which may be answered,
 - any visitors who wish to put forward views (and who are invited to do so by the Chair) may do so,
 - the discussion may be summed up by the Chair, and motions moved, and any vote taken.
- 3.4. If any participant leaves the meeting for whatever reason during a debate and rejoins:-
 - (a) during the same discussion, this will not be recorded in the minutes;
 - (b) after the voting on that issue, the absence will be recorded in the minutes.

4. Speaking and voting

- 4.1. Any participant who wishes to speak must raise their hand and clearly indicate to the Chair who will direct the order of speaking. (Visitors who wish to speak should so indicate so using the guidance on the agenda.)
- 4.2. Voting at remote meetings will be carried out by a clear show of hands, by a roll call of Councillors’ names and asking them to state their vote, or by another method of voting should a platform allow it, as determined by the Chair of the meeting. The Town Clerk will read back the votes of each participant for clarification if necessary. Votes will only be listed in the minutes if a recorded vote is properly requisitioned.

Chair: _____

Desborough Town Council
21 January 2021

Representation to Planning Appeal - Reference: APP/L2820/C/20/3253535
Lyndon Thomas, Birchfield Spring Nursery, Rushton Road, Desborough

Comments from:

Desborough Town Council
Desborough Library Building
High Street
Desborough
Northamptonshire
NN14 2QS

Submitted on behalf of the Council by Graham Thomson, Town Clerk clerk@desboroughtowncouncil.gov.uk

Summary

Desborough Town Council supports the Local Planning Authority in issuing the enforcement notice for the various uses to which this site has been put and for the same reasons. Should the Inspector decide to quash the enforcement notice, Desborough Town Council objects to the grant of planning permission.

Background

Whatever the rights and wrongs, consent was granted for a "fish farm". It was quickly noted that the site was not being used as intended and there was a higher number of heavy vehicle movements to and from the site than warranted by the consent. Although the site itself is in Rushton Parish, it is on one of the main routes into Desborough and has an open pleasing aspect, or it did until the development of this site. Desborough Town Council is most concerned that the use, if allowed to continue - whether that is with consent granted by the Inspector or without consent, would form a dangerous precedent for the destruction of other rural sites following the razing of this open rural site. The LPA's representation notes the various legislation and policies and we do not propose to repeat the LPA's case.

Industrialisation

The use originally proposed (two fishing lakes) might not have led to the impression of industrialisation but the use as enacted by the appellant certainly does. The appellant has not safeguarded the green infrastructure as required. The almost constant vehicle movements to and from the site (sporadically at all hours of the day and night, and also weekends and Bank Holidays) has not only caused the appellant to be regarded as a bad neighbour but also leads to the inevitable conclusion that the site is a heavy industrial site. This uncontrolled disturbance to tranquil life in Desborough and Pipewell results in the destruction of the environment enjoyed by residents. It should be noted that the appellant's vehicle Operator Licence having been revoked by the Traffic Commissioner is now a restricted licence with additional conditions including the days and times that vehicles may operate. There have been many recorded instances of these conditions being breached. Complaints have been made about the noise, smell, and fumes emanating from the site which would be the type expected (but not accepted) from large industrial uses.

Vehicles using the site

The very large vehicles using the site and travelling to and from it cause shaking, noise, vibration, actual damage, mud and dust on the road, and especially traffic problems owing to the routes taken through the parish roads of Desborough. Pedestrians and drivers who have had the misfortune to be on Desborough's roads at the same time as a vehicle connected with the site would testify to the apparent lack of concern for road safety of the appellant's vehicles and their drivers. Desborough Town Council is extremely concerned that if these uses are allowed to continue as they have in the past, but with consent, then life in this rural area would become not only intolerable but downright dangerous. Furthermore, the precedent set would lead to the potential for uncontrolled industrialisation and development in open, rural, areas throughout the LPA's area.

Impact on the locality

The Inspector will by now be well aware of the recent history of this site but may not be so aware of the amount of time Officers, Councillors, and residents have spent trying to mitigate the impact of the uses to which the site has been put. There have been countless reports of shaking, noise, vibration, actual damage, mud and dust on the road, and blocked drains leading to flooding all caused by the site works and vehicles using the site, and also other nuisances such as materials being transported onto and from the site, and materials being burned on site (whatever their origin) leading directly to complaints of noxious smells and thick "toxic" smoke. Each complaint has to be registered, most are investigated, and in many cases the appropriate agency has to attempt to take action. For example, if the road surface becomes dangerous then the Highway Authority must take action to clear it or make it safe. This is at the cost to the public purse and is therefore funded by local residents, not the appellant.

Chair: _____

Road surface dangers

One particular concern has been the very real danger to life and limb caused by the operator of the site and their agents and employees. Specifically, vehicles leaving the site bring unreasonable amounts of mud onto the road network spreading some distance from the site. This renders the road surface dangerous in dry weather and extremely treacherous in the wet. The surface water drainage system is ineffective at clearing water and the drains appear to be blocked or otherwise incapable of removing surface water which leads to puddling across at least the westbound carriageway (in rainy weather) and almost the entire road (in persistent or heavy rain). The combination of the mud brought onto the road by vehicles using the site and the blockages of the drainage system make driving past the site a dangerous manoeuvre.

The road network in Desborough was not designed or constructed to be capable of sustaining such heavy vehicles as use the site as often and for such a prolonged period of time. The Highway Authority will be able to give details of the number of complaints about the road surface being damaged, especially but not limited to Rushton Road, Dunkirk Avenue, and High Street.

Machinery on site

Turning now to the contents of the site, the storage and use on site of large industrial plant and machinery is incongruous in the open countryside, and detracts from the open rural nature of the area. Even when compared with a traditional countryside farm the vehicles, plant and machinery on site are heavy industrial rather than agricultural in appearance.

Residential development

It should be noted that the residential element of the consent was ancillary to and dependent on the main use approved. Since that main use has not been fulfilled the residential use is not as permitted. Should an application be made for residential development in this location, Desborough Town Council would object on the grounds, amongst others, that the development would be contrary to Policy 7 and RA5; that the development would be unsustainable in that location being distant and isolated from the facilities of both Pipewell and Desborough, there being no public transport, there being no overriding housing need, and that the number of dwellings with consent in the LPA's area and in Desborough already exceeds the JCS housing requirements.

Open Countryside

The site is in open countryside of gently rolling ridges and valleys. This development has created an impression of heavy industry in the rural hinterland between Pipewell and Desborough. The use is out of keeping with the character of the Ise Valley and the surrounding rural area.

There is no other industry let alone heavy industry in the vicinity; and the use, if allowed to continue, opens the possibility of other industrial development on adjacent sites or even the appellant's site. Other than the very traditional Desborough industries of shoe manufacturing and lingerie, almost all the industry in Desborough is to the north of the town. The industrialisation of the south east of the town near a nature reserve is more than unwelcome it is setting a precedent that open countryside is not worthy of protection.

The site now has some shielding from the road but there is no mistaking the industrialised nature of the site from the site entrance and from the many many heavy vehicle movements.

Environmental protection

Desborough Town Council is particularly concerned about the pollution caused by the excessive vehicle movements particularly given the apparently poor maintenance of the appellant's fleet evidenced by the low MOT pass rate (see Traffic Commissioner). The emissions from the vehicles are particularly noticeable at key junctions. On site, the Council is very troubled by the extraction, importation, and storage of materials. The Council is deeply concerned by the absence of any protection from the extraction or depositing of mixed inert and non-inert materials, and we do not know what materials are being exchanged and what damage the land-filling is causing or will cause. In the absence of lawful consent and controls, these worries extend to the safety of residents along the routes of the appellant's vehicle fleet. The Council is anxious to know precisely how local amenity is being protected, and how the local ecology is protected from contamination.

Grounds for appeal

Desborough Town Council considers that the grounds for appeal are simply a salami-style, straw-grasping exercise.

Ground A: If an application was made now for the current use, the Town Council would object very strongly. Many of the grounds for the objection are set out in this document. If the Inspector deems it appropriate to quash the enforcement notice and to consider granting consent for the development and usage of the site Desborough Town Council would request conditions such as those set out below.

Ground B: It is patently obvious that there have been multiple breaches of planning control throughout the history of the "fish farm" and any assertion otherwise is, plainly, absurd.

Chair: _____

-
- Ground C: To suggest that the use does not constitute a breach is to ignore completely what the consent was and what the use is and has been. The use clearly includes use as a minerals transfer site and not at all the peaceful trout fishing lakes which received consent. The original application specifically stated that the site would not be a waste management development and that there would be no hazardous substances for use or storage.
- Ground D: Enforcement action has been taken in various forms against the appellant in relation to the operation of this site from early in the life of the fish farm's consent. The appellant's strategy seems to be to delay as long as possible, to then agree to any conditions necessary to stop the enforcement action, then carry on as before. The LPA and other public authorities will be able to furnish the Inspector with details of each act of enforcement action.
- Ground F: The enforcement action is the minimum required to mitigate the severe effects of the activity on and from the site.
- Ground G: The appellant has had sufficient time to comply with the various enforcement notices and with the current one. The appellant has been on notice that enforcement action was being taken and was warranted and therefore has had ample opportunity to make preparations to comply.

Application for consent

Should the Inspector deem it appropriate to quash the enforcement notice and to consider granting consent for the development and usage of the site, Desborough Town Council would object in the strongest possible terms. Were a new application to be made for the uses as exhibited by the appellant Desborough Town Council expects that there would be hundreds of objections in addition to its own. The Town Council does not believe that the current uses can ever be made acceptable and safe. However, if the Inspector does consider consent to be appropriate then Desborough Town Council seeks **enforceable** conditions to mitigate the impact and would wish to discuss these with the LPA, the appellant, and the Inspector.

Conclusion

Desborough Town Council strongly opposes the appeal and equally strongly supports the LPA in the enforcement action. The various Court appearances have teased the residents of Desborough that things would get better and life would become more bearable, only for those hopes to be destroyed by the appellant's subsequent actions. If the Inspector dismisses the appeal and endorses the enforcement action then Desborough Town Council would ask that the Inspector's decision encompasses the site itself and is not restricted to the named appellant.

Chair: _____

Annexe 2

Desborough Town Council
21 January 2021

	Item	2021/22 Budget	From 2021/22 income	From reserves	Notes	2020/21 Budget	2020/21 Possible outturn
	Democratic Services	£78,645	£55,645	£23,000		£69,458	£46,455
1	Chair's allowance	£500	£0	£500	Used to reimburse direct expenses of Chair (on production of receipts) or paid through payroll.	£500	£0
2	Training and Development	£4,000	£0	£4,000	Increased provision to cater for new Councillors and new Council after elections	£3,700	£700
3	Audit (Internal)	£1,000	£1,000	£0	Required internal audit - estimates are being sought for alternative providers	£520	£0
4	Audit (External)	£1,000	£1,000	£0	Required external audit.	£1,000	£720
5	Data Protection Officer Service	£10	£10	£0	Through Northants CALC	£10	£0
6	Salaries & Employment Costs	£50,600	£50,600	£0	Includes salaries, HMRC, pension, payroll costs, and all other direct employment costs.	£48,188	£45,000
7	Information Commissioner	£35	£35	£0	Required registration.	£40	£35
8	Local Government Reorganisation	£5,000	£0	£5,000	Provision for items accepted from NNC	£2,000	£0
9	Newsletter / publicity / surveys	£1,500	£0	£1,500	To cover printing, online survey, leaflet distribution etc.	£1,500	£0
10	Election / Parish Poll provision	£15,000	£3,000	£12,000	To cover the cost of elections and parish polls. Set aside 1/3 estimated cost each year and hold an ongoing balance of £9,000 (in case of parish poll) and build up to £21,000 in year of election. (Earmarked)	£12,000	£0
	Membership and Subscriptions	£5,290	£4,290	£1,000		£3,794	£3,607
11	LANRAC	£0	£0	£0	Station no longer a likelihood so removed.	£40	£0
12	SLCC	£290	£290	£0	Provides advice to Council through Town Clerk	£254	£275
13	Northants CALC	£4,000	£4,000	£0	Provides advice to Council	£3,500	£3,332
14	Other subscriptions	£1,000	£0	£1,000	Such as Market Authorities Association if necessary	£0	£0
	Town Council Office	£14,600	£8,600	£6,000		£11,900	£8,495
15	Rent	£8,000	£8,000	£0	Actual figure	£8,000	£8,000
16	Offices redecoration	£2,500	£0	£2,500	Estimated cost - redecoration was required under the lease in November 2019.	£0	£0

Chair: _____

	Item	2021/22 Budget	From 2021/22 income	From reserves	Notes	2020/21 Budget	2020/21 Possible outturn
17	Rates	£3,500	£0	£3,500	Provision in case North Northamptonshire Council removes the rate relief	£3,500	£0
18	Telephone / Broadband	£600	£600	£0	Includes current contract price plus additional costs of mobile phone subscription for home working.	£400	£495
	Other Expenditure:	£0	£0	£0		£0	£0
19	Poppy Wreath	£0	£0	£0	Included only to clarify that Councillors and staff are invited to make voluntary contributions	£0	£0
	Administration	£47,750	£5,250	£42,500		£48,850	£28,570
20	General office and sundry expenses	£1,750	£750	£1,000	Includes printer, copier, stationery, reference works, and sundry items	£1,750	£500
21	Computer software	£1,000	£1,000	£0	Finance software, office software	£1,000	£416
22	Website, domain, email	£500	£500	£0	All costs relating to website and email	£500	£450
23	Insurance	£2,000	£2,000	£0	Third year of current three year deal	£1,800	£1,809
24	Christmas Lights: Maintenance, installation & removal	£3,500	£1,000	£2,500	Small provision for replacement.	£2,800	£6,840
25	Driver Interactive Sign Maintenance (TVAS)	£500	£0	£500	Maintenance and repairs. No provision for replacement. One of the three signs will probably become unusable during 2021/2.	£500	£250
26	Pocket Park Maintenance (& Lease)	£3,000	£0	£3,000	Lease expired January 2021. This is a tailing off grant for the Committee.	£5,000	£2,500
27	Neighbourhood Plan	£10,000	£0	£10,000	Costs of taking the Plan to consultation and publication	£10,000	£630
28	Multi Wheeled Sports Facility	£2,000	£0	£2,000	Provision for repairs	£2,000	£0
29	Community Grant Scheme	£15,000	£0	£15,000	Continuation the grant scheme	£15,000	£15,000
30	Premises - Equipment	£3,500	£0	£3,500	Necessary equipment and replacements	£3,500	£150
31	Legal Costs	£5,000	£0	£5,000	Provision for external legal services	£5,000	£25
	Projects	£239,500	£0	£239,500		£319,054	£100,000
32	Enabling crime detection by CCTV	£25,000	£0	£25,000	Anticipated expenditure on CCTV rolled forward	£65,000	£40,000
33	General town improvements	£5,000	£0	£5,000	General provision	£5,000	£0

Chair: _____

	Item	2021/22 Budget	From 2021/22 income	From reserves	Notes	2020/21 Budget	2020/21 Possible outturn
34	Greenspace Play Area	£0	£0	£0	Anticipated completion in 2020/21	£20,000	£20,000
35	Tree planting	£2,000	£0	£2,000	Can only be used in conjunction with landowners (KBC/NNC/private)	£2,000	£2,000
36	Other green issues	£3,000	£0	£3,000	Provision for "green" issues	£0	£0
37	Braybrooke Road Play Area	£0	£0	£0	Anticipated completion in 2020/21	£30,000	£30,000
38	Town Centre Road Improvements (Gladstone St / Nichols St)	£87,000	£0	£87,000	Anticipated expenditure rolled forward	£94,754	£8,000
39	Town Centre Road Improvements CONSULTATION (Gold Street/Rothwell Road/ Harborough Road, The George/Station Road, and bollards)	£81,000	£0	£81,000	General provision (Earmarked)	£100,000	£0
40	Portable hearing loop	£2,500	£0	£2,500	Purchase / installation of system for meetings in public.	£2,300	£0
41	Dog walking area - Dunkirk Avenue	£15,000	£0	£15,000		£0	£0
42	High Street safety bollards / railings	£19,000	£0	£19,000	Previously rejected	£0	£0
			£73,785	£312,000			
		TOTAL	£385,785				

Chair: _____

Appendix B

Desborough Town Council
21 January 2021

Planning and Licensing Matters

[KET/2020/0888](#)

13 King Street, Desborough
Single storey rear extension

[KET/2020/0873](#)

4 Rothwell Road, Desborough
Detached garage

[KET/2020/0841](#)

Desborough Conservative Club
30 Victoria Street, Desborough
Conversion of first floor function room and kitchen to 2 no. flats

[NK/2021/0003](#)

10A Beech Close, Desborough
Ground floor rear extension and first floor side extension above existing ground floor

Appendix C

Desborough Town Council
21 January 2021

Financial Report
Monthly Bank Reconciliation (31/12/2020)

		Dividend / Charges
Unity Trust Bank Current	£9,927.10	(£22.05)
Unity Trust Bank Saver	£1,000.00	
Barclays Current	£1.00	
Barclays Business Saver	£9.45	
CCLA Public Sector Deposit Fund	£360,901.39	£18.68
Reconciled Balance	£371,838.94	

The dividend from the CCLA Public Sector Deposit Fund is reinvested each month into the fund. The Council has now received the annual grant of £2,450 from the Economic Development department of Kettering Borough Council as a contribution towards the cost of purchasing, installing, and maintaining Christmas lights in Desborough for the 2020 season.

Appendix D

Desborough Town Council
10 December 2020

Accounts for payment

Table may be updated before the meeting (added items in **bold**)

+ Paid in accordance with delegated, continuous authority, or as previously approved.

	Supplier	Description	Reason	VAT	Total Amount
+	Talk Talk Business	Town Council Office	Internet and telephone	£5.39	£32.34
+	Mr G Thomson	General office & sundry expenses	Refund (Zoom subscription Dec)	£2.40	£14.39
+	Mr G Thomson	General office & sundry expenses	Refund (Zoom subscription Jan)	£2.40	£14.39
+	Mr G Thomson	Town Council Office	Mobile phone (Jan)	£0.00	£10.00
+	Desborough Library and Community Hub	Town Council Office	Office Rent (Jan)	£0.00	£666.67
+	Mr G Thomson	Salaries and Employment Costs	Salary (January)	£0.00	£2,029.39
+	LGSS Pensions	Salaries and Employment Costs	Pension (January)	£0.00	£874.10
+	LexisNexis	General office & sundry expenses	Reference book (CAB)	£0.00	£119.99
+	Initial Washroom Hygiene	General office & sundry expenses	Sanitary collection (annual contract)	£17.94	£107.64

Chair: _____

**Minutes of the meeting of the
Desborough Neighbourhood Plan Advisory Committee
held by Zoom on Monday 21 December 2020**

Present: Councillors: L Burnham, D Lamour, and P Sawford
Community: Messrs Churcher and Hill
Also present: G Thomson (Town Clerk)

1. ELECTION OF CHAIR

AGREED that:-
Councillor Sawford be elected Chair.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Keys, and Ms McLennan.

3. DECLARATIONS OF INTEREST

No declarations of interest were made.

4. TO HEAR REPRESENTATIONS FROM MEMBERS OF THE PUBLIC

No members of the public requested to speak.

5. DISCUSSION ABOUT THE DRAFT NEIGHBOURHOOD PLAN

The Advisory Committee considered the various documents available and worked through the Navigus report in detail. It suggested that a number of textual and presentational changes be made to the draft plan in order to reflect the current situation (including the history and economy section which should include reference to the Co-operative movement); to improve readability; and to include only relevant text, charts, plans, and information. It was also suggested that the maps and plans, where relevant, be consolidated and made clearer, and important green spaces be identified. It also suggested that any future draft plans or documents should be made screen and print friendly as far as possible. With regard to specific sites, the Town Clerk agreed to ask the Borough Council for an update on the proposals for the Lawrence's site and the old dairy off High Street.

The Advisory Committee considered that the plan should have an aspiration for the town and town centre to be vibrant with a good infrastructure; a date range of 2020-2035; that policies should flow from and be relevant to the vision; and that consideration be given in future to parking provision.

The Advisory Committee noted that the Council would need assistance with the technical aspects of the work and suggested that external professional help be sought and RECOMMENDED that a consultant be engaged to lead the Advisory Committee through the necessary steps and update the draft plan.

The meeting closed at 21:07

Chair: _____

**Minutes of the meeting of the Personnel Committee
of Desborough Town Council
held by Zoom on 8 December 2020**

Councillors present: L Burnham, G Holmes, J Read, P Sawford
Also present: G Thomson (Town Clerk)

1. **ELECTION OF CHAIR.**
DECIDED that:-
Cllr Sawford be appointed as Chair of the Committee for the 2020/21 municipal year.
2. **APOLOGIES FOR ABSENCE.**
The Town Clerk reported that no apologies for absence had been received.
3. **DECLARATIONS OF INTEREST.**
The Town Clerk reported that no declarations of interest had been made.
4. **TO HEAR REPRESENTATIONS FROM MEMBERS OF THE PUBLIC.**
No representations were made.
5. **TO APPOINT COUNCILLORS TO THE APPRAISAL PANEL.**
DECIDED that:
Councillors Read and Sawford be appointed to the Appraisal Panel.
6. **TO CONSIDER A MOTION FOR THE EXCLUSION OF THE PRESS AND PUBLIC:**
DECIDED that:-
in accordance with the Public Bodies (Admission to Meetings) Act 1960, as amended by the Local Government Act 1972, the press and public be excluded from the meeting for the remaining agenda items by reason of the confidential nature of the business to be transacted on the grounds that publicity would be prejudicial to the public interest.
7. **TO CONSIDER STAFF ISSUES**
The Committee gave detailed consideration to the issues raised and it was DECIDED that no action was necessary.

The meeting closed at 19:53

Chair: _____