

**Minutes of the meeting of Desborough Town Council
held online by Zoom on Thursday 18 March 2021**

Councillors present: L Burnham (Chair), S Draycott, J French, G Holmes, I James, B Keys, D Larmour, J Read, P Rogers, P Sawford, and J Watson.
Councillors not present: All present (one vacancy)
Also present: G Thomson (Town Clerk), and nine members of the community.

156./20 CHAIR'S WELCOME AND ANNOUNCEMENTS

The Chair welcomed those present to the meeting and made procedural announcements and introductions. She thanked everyone who had been involved in the efforts to avoid the complete closure of the B576.

157./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 contained in the report be noted.**

158./20 TO NOTE ANY DECLARATIONS OF INTEREST FROM COUNCILLORS

Councillor Holmes declared an interest in item 168.20 "To approve the signing of the replacement lease for the Council's offices".

Councillor Read declared an interest in item 178.1./20 ""To consider a response to applications NK/2021/0041 and NK/2021/0091, 13 Ironwood Avenue, Desborough, Alteration to boundary treatment in rear garden".

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

159./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 had been received.

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

160./20 TO APPROVE THE MINUTES OF THE MEETINGS HELD ON 18 FEBRUARY 2021 AND 8 MARCH 2021

Extracted from the report of the Town Clerk:-

The minutes of the meetings of the Council held on 18 February 2021 and the extraordinary meeting of the Council on 8 March 2021 have been circulated.

**RESOLVED that:-
the minutes be confirmed and signed by the Chair when possible.**

161./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.

A member of the public spoke about the apparent proposals to use Rowan Close as a link road between phases 1 and 2 of the Grange housing development. He referred to documents produced over the past ten years stating that it could not be used thus, and subsequently reversing that position and asked for the Council's help in discovering how the previously stated "legal reasons" for not using Rowan Close had been overcome.

It was noted that the Borough Council had indicated that it was seeking clarification about any potential name change for Rowan Close; might consider uploading some further guidance on the forthcoming applications on the Borough Council's website; and that the application currently valid was for a Non-Material Amendment to the Design Code (NK/2021/0198); the planning authority was considering whether these proposed issues could be dealt with in that way; the changes proposed all related to layout and urban design and not access issues onto Rowan Close or the other southern accesses.

162./20 TO DISCUSS THE CURRENT POSITION WITH THE ROTHWELL NORTH HOUSING DEVELOPMENT, ROAD WORKS, AND ASSOCIATED PLANNING REQUIREMENTS
162.1./20 TEMPORARY TRAFFIC REGULATION ORDER: TTRO (20/21) N522

Extracted from the report of the Town Clerk:-

Members will recall the recent extraordinary meeting called to discuss the proposed closure of the B576 between Glebe Farm and the Roundabout at Greening Road, Rothwell referred to as Temporary Traffic Regulation Order: TTRO (20/21) N522. Following the meeting the Council demanded that the closure arrangements be changed to avoid the tremendous and unnecessary inconvenience to the residents of Desborough, the staff and pupils of Montsaye Academy, and the essential staff and the patients of the Rothwell Medical Centre & Pharmacy. Specifically, the Council sought:-

- (1) *for any and all future road closures affecting this site, the community be given as much notice as possible, and that Desborough Town Council be notified directly before any TTRO is applied for or granted;*
- (2) *the TTRO be brought forward by one week to coincide more closely with the school's half term holiday;*
- (3) *in recognition that the closure is for two complete weeks 24/7 the developer should ensure that actual works take place 24/7 with **day and night** working to reduce the closure time further;*
- (4) *in the event that it is not possible to bring forward the works at this notice, the TTRO must be rescinded and the works rescheduled for the school summer holidays, which are currently scheduled to begin around 23 July 2021;*
- (5) *fully effective, and more appropriate, arrangements be made for pedestrian access and pedestrian safety.*

Discussions between the developer and its contractor have been taking place and any update will be reported to the meeting.

The Council is REQUESTED to consider the matter.

The Chair stated that she was delighted to confirm that changes had been agreed to the forthcoming closure of the main road between Desborough and Rothwell. She stated that the closure was necessary to allow the laying of services and the road works at the Persimmons development adjacent to the medical centre and pharmacy at Rothwell. She explained that there would still be disruption to traffic and the road would still be closed but the closures would be for three weekends and five weekday evenings rather than a full closure for complete two weeks. She confirmed that the traffic lights would remain for the duration of the works so some delays might be experienced. She outlined the closure pattern as: will Saturday morning to Monday morning on all three weekends starting on 10 April, and overnight from 7pm to 6am during the final week.

In response to questions, the Town Clerk confirmed that he had requested the developer and the highway authority to give notification of any future road closures connected with the development.

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

162.2./20 ROTHWELL GULLET, LOCAL WILDLIFE SITE

Extracted from the report of the Town Clerk:-

Members will be aware that the development site is adjacent to the nature reserve at Rothwell Gullet, looked after by The Wildlife Trust for Bedfordshire, Cambridgeshire & Northamptonshire. The planning consent requires various measures to protect the Reserve including a buffer between the housing and the nature reserve. The Ecological Management Plan also requires:-

- (1) *good practice measures for dust and pollution control;*
- (2) *the Parkland West area of the green infrastructure will provide a 50m buffer to the development and mitigate against damage and/or disturbance from the development;*
- (3) *structural native tree and scrub planting including thorny species at site boundary, and careful siting of paths to discourage access by the public;*
- (4) *annual monitoring of flora within both the LWS during construction and years 1,3,5 and 10 post construction.*

The Council is REQUESTED to consider the matter.

It was noted that although the site was not in Desborough, it was sufficiently close to the border to cause litter or other problems in Desborough.

RESOLVED that:-
(i) the Town Clerk be requested to seek clarification from the planning authority about the requirements of the ecological management plan; and,

- (ii) **the Town Clerk be requested to write asking Rothwell Town Council to support protection for the wildlife site.**

162.3./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:-

15/02 - 21/02	4 violations inwards and 1 violation outwards out of 579 vehicles (this represents a violation rate of 0.86%)
22/02 - 28/02	10 violations inwards and 2 violations outwards out of 514 vehicles (this represents a violation rate of 2.33%)
01/03 - 07/03	8 violations inwards and 2 violations outwards out of 614 vehicles (this represents a violation rate of 1.63%)

The Council is REQUESTED to note the report.

RESOLVED that:-

the information contained in the report be noted.

163./20 TO DISCUSS THE BOROUGH COUNCIL'S PROPOSALS FOR THE LAWRENCE'S FACTORY SITE

Extracted from the report of the Town Clerk:-

Members will be aware of some of the history of the site and the competing interest groups' ideas for it. The site is currently owned by the Borough Council (KBC) which intends to develop it for social housing. The proposals are indicative and for consultation only. The current proposals have been presented by the Borough Council separately to Desborough's three Borough Councillors, the DCDT, and the Town Council. The proposal is to retain the buildings and convert them for accommodation. The developer in this instance is the Borough Council (soon to be North Northamptonshire Council). The proposals for the site include 43 Council homes (ranging from 1 to 5 bedrooms). A detailed cost plan has been produced (with an estimated cost of £8.9M – £9.5M) and therefore external funding would be required. Discussions between KBC and with Homes England have been positive and a bid for grant funding is to be submitted in April 2021 (the scheme has already been submitted for pre-application advice). Given that the scheme retains and reuses buildings on site, it will be no surprise that Historic England has issued letter of support. Subject to the consideration of any responses it is intended that a full planning submission will be made in June 2021, a target construction start date of June 2022 and indicative completion date of December 2023.

Members are reminded that the "Meetings With Developers Policy And Procedure" states that:

"The Council wishes to encourage appropriate sustainable and safe development, whilst at the same time attempting to preserve and protect the environment and character of Desborough; having due regard to the duties of the Town Council in relation to conserving biodiversity and the prevention of crime and disorder."

It goes on:

"whatever their views, Members must approach their decision-making with an open mind in the sense that they must have regard to all material considerations and must be prepared to change their views if persuaded that they should."

The Borough Council has asked for comments on the scheme and any suggestions. Giving views and making suggestions will not of themselves rule Town Councillors out of making comment when the planning application(s) are submitted.

The Council is REQUESTED to consider the matter and make comment on the proposals.

The Chair referred to the drawings of the draft plans which had been circulated to Councillors. It was noted that the Borough Council had indicated that it was much more expensive to clear the site than redevelop than to reuse the existing buildings. The Town Clerk confirmed that he had already invited the Borough Council to make a presentation to the Town Council meeting.

Councillors discussed the draft proposals and commented on: parking provision both on site and for New Street residents and visitors; the possibility of reopening New Street to through traffic; how the development relates to the existing street scene; any provision for electric car charging; the standard of design and build quality used; and whether the Borough Council was aware of the proposals for the one-way system.

RESOLVED that:-

- (i) **the Borough Council be invited to make a presentation of the proposals to a future Council meeting;**
- (ii) **Councillors be requested to give any further comments to the Town Clerk to pass to the Borough Council; and,**
- (iii) **the comments raised be passed to the Borough Council.**

164./20 TO CONSIDER A COMMUNITY GRANT PREVIOUSLY AWARDED

Extracted from the report of the Town Clerk:-

Members may recall that in October 2019 a grant of £1,500 was made to the Zellhoff 2020 group of the 3rd Desborough Scouts towards the cost of the group attending the international camp in Zellhof, Austria in July / August 2020. Owing to the pandemic, the camp was postponed to 2021 and it was hoped that participation would be possible with the same individuals from Desborough. It has now become clear that this will not now happen in 2021 due to continued Covid restrictions. The grant was awarded "for the group attending the international camp in Zellhoff, Austria, in July/August 2020".

The Council's policy requires that "All grants must only be used for the purpose for which they were awarded unless the written approval of Desborough Town Council has been obtained for a change in use of the grant" and "The council reserves the right to reclaim the balance of any funds not spent in accordance with the approved grant application, left unspent after one year of receipt".

Although it is intended that representatives from the 3rd Desborough Scouts will attend a similar camp in 2022 that would mean the grant money being unspent longer than intended. The Scout group has confirmed that if the grant remains the money will be placed in a ring-fenced account with the other money raised by the group towards the international camp. If the Council chooses to leave the grant with the Scouts, the Town Clerk should be requested to see evidence that the money has been set aside, and the matter should be reviewed within twelve months.

The Council is REQUESTED to consider the matter.

RESOLVED that:-

- (i) **the grant be left with the Scouts for use in an international camp in 2011/2022; and,**
- (ii) **the matter be reviewed within twelve months, if not used.**

165./20 TO CONSIDER WHETHER OR NOT TO CO-OPT TO THE CASUAL VACANCY

Extracted from the report of the Town Clerk:-

*Councillors will recall that Councillor Taylor resigned from the Council leaving a casual vacancy. In accordance with the appropriate rules, the Borough Council has confirmed that the Town Council is permitted to fill the current vacancy on the Council by co-option. The elections for the whole Council are scheduled for 6 May 2021. The relevant law says vacancies must be filled as soon as practicable **unless** an ordinary election is within six months in which case the Council **MAY** fill the vacancy. If the Council decides to co-opt to the vacancy then the term of office of any person so co-opted would expire with existing Councillors at the May 2021 election.*

The Council is REQUESTED to consider whether or not to co-opt to the casual vacancy and if so to note that a decision on co-opting any candidate will take place at the April Council meeting.

RESOLVED that:-

the vacancy remain unfilled until the scheduled May 2021 election.

166./20 TO CONSIDER WORKS NECESSARY TO GREEN LANE / HARRINGTON ROAD

Extracted from the report of the Town Clerk:-

This bridleway / footpath known locally as "the D" has been reported as being in an unsafe state. Notwithstanding the gates at either end, this path is officially highway and is therefore the responsibility of the County Council to keep clear. As with most country paths, there has been encroachment of shrubbery and undergrowth over time reducing the width of the pedestrian area. Some clearance works have been undertaken in the recent past.

The Council is REQUESTED to consider the matter.

It was noted that the matter had been referred to the Highways department of NCC and passed to an appropriate officer to look into the matter.

RESOLVED that:-

the information contained in the report be noted.

167./20 DEFINITIVE MAP AND STATEMENT FOR NORTHAMPTONSHIRE COUNTY COUNCIL

Extracted from the report of the Town Clerk:-

As Councillors will know, there are many examples in Northamptonshire of routes which have a dual status. They appear on the Definitive Map as a public right of way and also on the List of Streets as a highway with full rights for all users (including motor vehicles). This is sometimes known as a "highway conflict" but in practice, few problems are caused. The ways that these dual status routes came about vary: some are alleyways within the villages and towns; others have been created on the edges of settlements when modern developments have included new roads which have overlain existing public rights of way. In some cases, the highway footpaths have been formally adopted, in other cases not.

It would appear that in 2016, when Kier/WSP were carrying out a periodic consolidation of the Definitive Map and Statement for Northamptonshire County Council (NCC), they made a decision to include extra schedules in the map Order to remove those public rights of way, in part or whole, where the route was also served by a full highway. This was done under s.53(2) (a) of the Wildlife and Countryside Act 1981, which did not require Kier/WSP to consult with anyone, so there was no consultation with parish and town councils. The effect of this varies according to each individual route. Where a carriageway with footways replaced a public footpath or bridleway, there may well have been no objection. However, in the case of alleyways which were intended for pedestrians only, the remaining highway footpath carries with it unrestricted rights such that vehicles including quad bikes and motor bikes can also use them which, in many cases, is extremely dangerous.

A copy of the 2016 Order is here <https://www.northantscalc.com/uploads/definitive-map-modification-order-sep16.pdf>.

In Desborough, part of footpath UC7 (from Pipewell Road towards West Lodge Farm, through The Grange) was affected, as was part of UC1 (Lower Street). UC7 appears to have been "relocated" to a more commodious route. With footpath UC1, the stretch of road lay over the right of way and the right of way was removed from the Definitive Map and Statement. The considered opinion is that Kier/WSP and NCC's actions were uncommon but probably legal – although it is unlikely that the draughtsman of s.53(2)(a) of the Wildlife and Countryside Act 1981 intended for it to be used in the way it was here.

If the Council believes that these changes will have an adverse effect on residents or pedestrians then a request may be made to have the stretches of footpath reinstated. If however, there is no disadvantage then no action is necessary.

The Council is REQUESTED to consider the matter.

RESOLVED that:-

the Council's volunteer path warden be requested to comment.

168./20

TO APPROVE THE SIGNING OF THE REPLACEMENT LEASE FOR THE COUNCIL'S OFFICES

Councillor Holmes, having declared an interest in this item, left the meeting and took no part in the discussion or voting thereon.

Extracted from the report of the Town Clerk:-

Members will recall that the Council decided to enter into the lease with Desborough Library and Community Hub (DLCH) to rent the Council's offices concurrent with making a loan to DLCH to purchase the same (25/07/2019). The agreement was for the lease to be substantially the same as the old County Council lease.

Lengthy legal work ensued and the Council formally approved the signing of the lease, the lease agreement, and various other documents relating to the purchase (20/02/2020). At the point of the transfer of ownership of the building between NCC and DLCH when the lease with the Council needed to be signed it was not possible to comply with S38A(3)(b) of the Landlord and Tenant Act 1954 because it was not lawful to have meetings in person owing to the first Covid-19 lockdown and an in-person meeting was necessary. An interim lease which could be signed was agreed (and signed) and a separate undertaking was given to relinquish the interim lease and sign one with the extra clauses added (reported to the Council on 21/05/2020).

This replacement lease is identical to the interim one but with the addition of the provisions relating to S38A(3)(b) and is the version of the lease which would have been signed but for the lockdown. It is RECOMMENDED that the Council authorises the Town Clerk to relinquish the existing interim lease and to authorise the signing of the new lease.

RESOLVED that:-

- (i) the Town Clerk be authorised to relinquish the existing lease; and,**
- (ii) the signing of the new lease be authorised.**

Councillor Holmes returned to the meeting at this point.

169./20

TO REVIEW POLICIES AND PROCEDURES

Extracted from the report of the Town Clerk:-

The Council needs to review various documents each year. The Financial Regulations, Standing Orders, and Scheme of Delegations are the three main "constitutional documents" which set out how the Council conducts its business. It is proposed to review the Scheme of Delegation at the April Council meeting together with other policies.

169.1./20

STANDING ORDERS

Extracted from the report of the Town Clerk:-

A review of the Council's Standing Orders has been undertaken to ensure that the mandatory Standing Orders are included, and the Council's policies and practices are reflected. The draft revised Standing Orders have been circulated separately to Councillors.

The Council is RECOMMENDED to approve the draft revised Standing Orders.

The Town Clerk reported that following late notice of changes to the NALC model and the statutory Standing Orders he wished to withdraw the item and asked the Council to maintain the existing Standing Orders and consider the revised draft at the April 2021 meeting.

RESOLVED that:-

the Standing Orders remain unchanged and reviewed at the next ordinary Council meeting.

169.2./20 FINANCIAL REGULATIONS

Extracted from the report of the Town Clerk:-

A review of the Council's Financial Regulations has been undertaken to ensure that the mandatory provisions are included, and the Council's policies and practices are reflected. The draft revised Regulations have been circulated separately to Councillors.

The Council is RECOMMENDED to approve the draft revised Financial Regulations.

RESOLVED that:-

the recommendation be accepted.

169.3./20 COUNCILLORS' CODE OF CONDUCT

Extracted from the report of the Town Clerk:-

Although there is no legal requirement to do so, the Council usually adopts the Code from the principal authority given that that Council's Monitoring Officer acts as the Monitoring Officer for the Town Council (under statute). The Code was last updated by KBC at the end of 2019 and adopted by the Town Council in January 2020. North Northamptonshire Council (NNC) will be the principal authority from the April 2021 and has just adopted the new model Code from the Local Government Association (LGA). The message from Northants CALC is for Town and Parish Councils to carry on with the Codes they have for the time being, and to postpone any review. However, it is usual for Councils to be "required" by auditors to have reviewed core documents and policies

The Council is REQUESTED to consider:-

- a) continuing with the existing Code unchanged for the time being; OR
- b) adopting the NNC Code (amended as circulated).

RESOLVED that:-

the Councillor's Code of Conduct adopted by North Northamptonshire Council, as amended, be adopted.

169.4./20 OTHER RISKS RISK ASSESSMENT

Extracted from the report of the Town Clerk:-

The draft Risk Assessment, circulated to Councillors separately, has been updated to take account of experience over the last year.

The Council is RECOMMENDED to approve the risk assessment.

RESOLVED that:-

the recommendation be accepted.

169.5./20 GOVERNANCE RISK ASSESSMENT

Extracted from the report of the Town Clerk:-

The draft Risk Assessment, circulated to Councillors separately, has been updated to take account of experience over the last year.

The Council is RECOMMENDED to approve the risk assessment.

RESOLVED that:-

the recommendation be accepted.

169.6./20 DIGNITY AT WORK POLICY

Extracted from the report of the Town Clerk:-

The draft policy, circulated to Councillors separately, addresses issues of bullying and harassment on any ground, and how complaints of this type will be dealt with (bullying in general is also referred to in the Councillors' Code of Conduct).

The Council is RECOMMENDED to approve the policy.

RESOLVED that:-

the recommendation be accepted.

169.7./20 MEMBER / OFFICER PROTOCOL

Extracted from the report of the Town Clerk:-

The draft policy, circulated to Councillors separately, covers ground rules for interactions and working arrangements between Councillors and staff

The Council is RECOMMENDED to approve the policy.

RESOLVED that:-

the recommendation be accepted.

169.8./20 PUBLIC INTEREST DISCLOSURES POLICY

Extracted from the report of the Town Clerk:-

Whistle-blowing, sometimes referred to as confidential reporting or public interest disclosure, provides a link between employment concerns, such as bullying, and the more general complaints procedures. The draft policy has been circulated to Councillors separately. The Council is RECOMMENDED to approve the policy.

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

170./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 reports received will be circulated.

- a) *Kettering Borough & North Northamptonshire Shadow Councillor Mark Dearing*
- b) *Kettering Borough & North Northamptonshire Shadow Councillor Jim French*
- c) *Kettering Borough & North Northamptonshire Shadow Councillor Mike Tebbutt*
- d) *Northamptonshire County North Northamptonshire Shadow Councillor Allan Matthews*
Attached at Appendix A
- e) *Other groups and volunteer posts*

The Council is REQUESTED to note the information.

Borough and Shadow North Northamptonshire Councillor Tebbutt reported that the Borough Council had approved the Part 2 Local Plan following years of work and consultation would commence shortly.

Borough and Shadow North Northamptonshire Councillor French stated that the proposed one-way system might be delayed by up to four months.

With regard to other groups and organisations it was reported that:-

- (i) Desborough & District Twinning Association was making tentative arrangements for outdoor activities in August;
- (ii) Desborough in Bloom was working behind the scenes with a view to looking after the Stoke Albany roundabout at the Grange and being able to plant wild flowers;
- (iii) Desborough Library would be reopening with limited hours in April including possibly some evening and Saturday access;
- (iv) Junior Parkrun would be recommencing from 18 April 2021.

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

171./20 TO RECEIVE AN UPDATE ON THE PROPOSED CCTV UPGRADE

Extracted from the report of the Town Clerk:-

Following the offer of a grant from the Town Council to the Borough Council for the upgrading and installation of new CCTV cameras the Borough Council has been consulting on the locations of proposed new cameras. The existing four cameras (located at High Street / Station Road, Station Road / Havelock Street, High Street / Dunkirk Avenue, and Recreation Ground adjacent to the Bowls Club) will be replaced and the proposals for new cameras in the following locations is subject to consultation and funding: Braybrooke Road, opposite Hilltop Avenue, Chaplins Lane (Recreation Ground, in the north-west corner), Leisure Centre at The Grange, and Braybrooke Road / Straight Furlong. Details of costs have still not yet been confirmed by the Borough Council, and discussions with regard to other potential locations are continuing.

For the avoidance of doubt, the Town Council's grant is to allow the purchase and installation of the equipment and the Borough Council (and its successor) is responsible for the insurance, maintenance, operation and upkeep thereafter.

The Council is REQUESTED to note the information.

It was reported that there were some slight variations to the list and locations proposed in order to maximise the coverage and technological advantages. In response to questions it was reported that the images would be monitored by the Borough Council's control centre and that the Police had access to the images where necessary. It was noted that there had been a recent large investment in cameras in Kettering paid for under the safer streets fund.

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

172./20 TO RECEIVE AN UPDATE ON THE BRAYBROOKE ROAD PLAY AREA

Extracted from the report of the Town Clerk:-

The Council has been informed that notwithstanding the agreement with the Borough Council to consult with the Town Council before awarding the contract for the play area, the tender process produced contractors' proposals of such a high quality and equivalence that KBC found it necessary to involve a more expert analysis. The preferred contractor (subject to contract) makes both high quality play kit and also highly 'playable' playkit too. The lead-in time is around 6-8 weeks and it is anticipated that installation will be during May. The Council is REQUESTED to note the information.

RESOLVED that:-

the information contained in the report be noted.

173./20 TO RECEIVE AN UPDATE ON THE PROPOSED ONE WAY SYSTEM

Extracted from the report of the Town Clerk:-

The County Council's engineers' department has been working on the plans for the one-way system taking into account the need for sufficient turning circles and parking needs as previously agreed. The Town Clerk continues to press for progress. The Council is REQUESTED to note the information.

The Town Clerk reported that he had been pursuing this matter and expected to receive a final proposal in time for submission to the April Council meeting. He confirmed that once approved by the Town Council, the highway authority would still have to carry out statutory consultation.

RESOLVED that:-

the information contained in the report be noted.

174./20 TO RECEIVE AN UPDATE ON THE NEIGHBOURHOOD PLAN

Extracted from the report of the Town Clerk:-

The contractor has commenced work on the revisions to the draft plan and a meeting of the Neighbourhood Plan Advisory Committee is being convened to consider the first report. The Council is REQUESTED to note the information.

RESOLVED that:-

the information contained in the report be noted.

175./20 TO NOTE CRIME FIGURES

Extracted from the report of the Town Clerk:-

Details of the latest crime and clear up figures received are placed on the Council's website. The Council is REQUESTED to note the information contained in the report.

RESOLVED that:-

the information contained in the report be noted.

176./20 TO NOTE A REPORT OF VEHICLE SPEEDS

Extracted from the report of the Town Clerk:-

Details of the latest weekly figures from the Council's TVAS speeds signs are placed on the Council's website. Following a review of the risk assessment involved in the use of the speed signs it has become necessary to buy safety equipment: a warning lamp and a high visibility jacket. Details of the costs are set out in the accounts for payment. The Council is REQUESTED to note the information contained in the report and authorise the purchase of a hi-viz coat and warning lamp.

RESOLVED that:-

the report be noted and the purchase of a hi-viz coat and a warning lamp with costs as set out in minute 179./20 be approved.

177./20 TO RECEIVE AND NOTE THE PLANNING AND LICENSING REPORT AND CONSIDER COMMENTING ON APPLICATIONS

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.

177.1./20 TO CONSIDER A RESPONSE TO APPLICATIONS NK/2021/0041 AND NK/2021/0091, 13 IRONWOOD AVENUE, DESBOROUGH, ALTERATION TO BOUNDARY TREATMENT IN REAR GARDEN

Councillor Read, having declared an interest in this application, left the meeting, and took no part in the discussion or voting thereon.

Concern was expressed that notwithstanding the application title, plans appeared to show a 2 metre high boundary to the sides and front of the property.

RESOLVED that:-

the Council submits an objection relating to:-

- (a) the misdescription of the application;
- (b) the height of the proposed boundary to the front of the property;
- (c) the construction materials of the proposed boundary not being in keeping with the vernacular style of the estate as a whole and which most certainly would detract from the pleasant aspect of this entrance to the entire Grange development;
- (d) incongruity of the proposal in the context of the estate which is open plan in aspect with 1m fences, low planting, and trees. The tree-lined "Avenue" nature of the road would be destroyed by this proposal if consent were granted;
- (e) the proposal for an impermeable boundary of this height would intrude into the sight lines of Ironwood Avenue from Mulberry Close and would therefore be a danger to pedestrians and road traffic;
- (f) the boundary material proposed would be completely incongruous and not in keeping with the surrounding area and would do nothing to either improve or enhance the built or natural environment.

Councillor Read returned to the meeting at this point.

177.2./20 TO CONSIDER A RESPONSE TO APPLICATION NK/2021/0122 52 CHURCH VIEW ROAD, DESBOROUGH, CHANGE OF USE OF DWELLING (C3) TO CARE HOME FOR A CHILD WITH TWO STAFF (C2)

RESOLVED that:-

the Council submits an objection relating to:-

- (a) the property being too small for the proposed use;
- (b) there would be insufficient parking available for the necessary building users and visitors;
- (c) the application refers to one child but documentation submitted may not entirely substantiate this and the Council would seek information on how such a limit would be policed;
- (d) reassurances being necessary that the appropriate Children's services have been advised, consulted, and have been able to give clear views as to the suitability of the premises in this location for the proposed use.

177.3./20 TO CONSIDER A RESPONSE TO APPLICATION NK/2021/0154, 69 BROADLANDS, DESBOROUGH, CHANGE OF USE TO RESIDENTIAL CHILDREN'S HOME FOR UP TO THREE YOUNG PEOPLE

RESOLVED that:-

the Council submits an objection relating to:-

- (a) the property being too small for the proposed use;
- (b) there would be insufficient parking available for the necessary building users and visitors;
- (c) the application refers to three children but documentation submitted may not entirely substantiate this and the Council would seek information on how such a limit would be policed;
- (d) reassurances being necessary that the appropriate Children's services have been advised, consulted, and have been able to give clear views as to the suitability of the premises in this location for the proposed use.

178./20 FINANCE MATTERS

178.1./20 TO APPROVE THE FINANCE REPORT

Extracted from the report of the Town Clerk:-

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

RESOLVED that:-

the recommendation be accepted.

178.2./20 TO NOTE THE EXTERNAL AUDIT REPORT

Extracted from the report of the Town Clerk:-

The statutory external audit report is available on the Council's website. As Members may recall, owing to the income/expenditure level of the Council it was necessary to change from the "receipts and payments" method to the "income and expenditure" method of stating the

accounts. This means redoing the previous year's return under a different set of rules. The prior year's figures were not correctly restated to an income and expenditure basis on the AGAR Part 3. Box 1 and 3 should read £351,758 and £3,245 respectively. In reviewing the figures after the Internal Audit the Town Clerk noted that the current year's figures in Boxes 3, 6, and 7 should read £5,025, £197,673 and £357,799 respectively. This updated information was provided to the external auditor. On another technical matter, refunds received during the year were incorrectly stated as income rather than being "netted off" against the original expenditure. Finally, following external advice after the internal audit, the library purchase loan has been treated as an asset and is now included in Section 2, Box 9. The figure in Box 9 should read £319,389. The changes will be taken into account in the next annual return. The Council is **RECOMMENDED** to note the report and action to be taken.

RESOLVED that:-
the recommendation be accepted.

178.3./20 TO CONSIDER CHANGES TO INTERNAL AUDIT ARRANGEMENTS

Extracted from the report of the Town Clerk:-

The Council has used the internal audit services provided by Northants CALC for a number of years paid as an additional cost on top of the annual subscription. It is good practice to change auditors from time to time; it avoids a cozy relationship developing, helps to ensure diligence on behalf of the auditor, and that regulatory changes and developments are effectively communicated and implemented. The opportunity has been taken to test the market. An assessment of the needs of the Council and the reasonable expectations of the audit and on the auditor has been undertaken. Quotations were sought in accordance with Financial Regulations. A quotation was received from a well-known and respected town and parish Council auditor for a fee of £500 (no VAT applicable).

*The Council is **REQUESTED** to accept the quotation and change internal audit providers.*

RESOLVED that:-
the quotation from Do the numbers Ltd. be accepted.

179./20 TO APPROVE ACCOUNTS FOR PAYMENT AND TO NOTE THOSE ALREADY MADE

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.*

RESOLVED that:-
the recommendation be accepted.

The meeting closed at 21:12

Signed by the Chair: _____

Date: _____

Desborough Town Council
18 March 2021

County Councillor Report

This month I offer a potted version of frequently asked questions about highways trees and the responsibilities of the Highways Authority [HA]. It is not an exhaustive list but captures some of the more frequent concerns about highways trees.

HIGHWAYS TREES

Q. A highways tree blocks light, or overhangs my garden, can it be removed or pruned?

A. There is no absolute right to light to either land or property [currently]. The HA is not required [or obliged] to prune a tree for the benefit of a property owner, unless structural damage is caused.

Notes:

A common law right permits a person to prune back any growth of a tree [or shrub] "to the line of their boundary" [e.g. fence line]. Any pruning, or fruit, must be offered back to the owner but, if the owner declines acceptance, the "pruner" has the task of disposing of the cuttings in a responsible manner. By carrying out work to a tree, the person takes responsibility for their actions. Should injury or damage occur, the person carrying out the work becomes liable. If a tree carries a Tree Preservation Order, or is in a Conservation Area, permission must be obtained from the Local Planning Authority before work is undertaken.

Q. My TV signal is poor - a highways tree is interfering with the signal - can the tree be removed or pruned?

A. The HA is not legally required to remove or prune trees for a TV reception.

The TV licence does not give the holder a guarantee or legal right to reception.

Q. Falling leaves and seeds make a mess on my garden paths, block drains and make the car dirty, can the tree be removed or pruned?

A. The HA has a duty of care to keep pavements in good structural repair but gardens are the responsibility of the occupiers.

Leaf litter, seed drops and sap are natural physiological occurrences.

Q. I think tree roots are damaging the foundations of the house, what should I do?

A. Normally the roots of highways trees do not damage foundations, however some soil with high clay content, coupled with trees and shrubs, can cause excessive moisture loss during periods of drought.

The property owner can get a structural survey undertaken and, if there is damage, send the report to the Highways Authority with a completed claims form.

Q. The highways tree is close to overhead wires.

A. Your HA will not undertake work to prevent damage, or to clear, overhead cables. The relevant utility company should be advised their service is affected but there is no statutory minimum clearance of trees adjacent to telephone cables.

Note: overhead electricity cables are kept clear from encroaching tree growth, for public safety, by the power company.

OTHER QUESTIONS ABOUT TREES

Q. Hedge heights – is there a law now?

A. Yes from 1st June 2005 Local Authorities have had powers to deal with complaints.

Q. Birds nesting in a tree but someone working on that tree – whom do I call?

A. Contact RSPB or English Nature Reserve or Bat Conservation Trust [Use library details]

Q. Who is responsible for hedgerows adjacent to a highway?

A. Ownership and responsibility lies with the landowner. Fences are often merely the physical boundary and may not be the legal boundary.

Q. Street lights affected by trees.

A. Report to Balfour Beatty

Q. Private trees affecting private properties.

A. This is a private matter between the parties concerned.

Please note that I have avoided using NCC and KBC as references as these authorities will become North Northants Council on April 1st.

Allan Matthews
Desborough Division County Councillor

Desborough Town Council
18 March 2021

Planning and Licensing Matters

[NK/2021/0041](#) and [NK/2021/0091](#)

13 Ironwood Avenue, Desborough
Alteration to boundary treatment in rear garden

[NK/2021/0082](#)

86 Ironwood Avenue, Desborough
Boundary fence (not exceeding 2m height & located 0.5m from public footpath)

[NK/2021/0087](#)

49 Copelands Road, Desborough
First floor front and single storey front and rear extensions

[NK/2021/0089](#)

72 Pioneer Avenue, Desborough
Erection of front porch and lean-to roof over porch and bay window

[NK/2021/0122](#)

52 Church View Road, Desborough
Change of use of dwelling (C3) to care home for a child with two staff (C2)

[NK/2021/0133](#)

21-23 Church View Road (land at), Desborough
s.73 Application: Variation of condition 1 of [KET/2020/0585](#), in respect of approved drawings

[NK/2021/0134](#)

129 Rushton Road, Desborough
Single storey extension to extend beyond the rear wall of the original property by 7.7m, with a maximum height of 3.6m and eaves height of 2.5m

[NK/2021/0154](#)

69 Broadlands, Desborough
Change of Use to residential children's home for up to three young people

[NK/2021/0198](#)

North Desborough (land at), Stoke Albany Road, Desborough
KET/2017/0169 (Variation of conditions 19 & 20 (Energy Strategy), condition 21 (Code for Sustainable Homes), condition 22 (Lifetime Homes), condition 24 (Sustainability Report) and condition 25 (Interim Design Stage Assessment Certificate) of KET/2011/0235): Amendment to design code of Condition 7 of KET/2017/0169

Desborough Town Council
18 March 2021

Financial Report

Monthly Bank Reconciliation (28/02/2021)

	28/02/2021	Dividend / Charges	Comment
Unity Trust Bank Current	£4,241.42		
Unity Trust Bank Saver	£1,000.00		
Barclays Current	£1.00		
Barclays Business Saver	£9.45		
CCLA Public Sector Deposit Fund	£360,928.53	£11.12	Reinvested
Reconciled Balance	£366,180.40		

Appendix D

Desborough Town Council
18 March 2021

Accounts for payment

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

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

	Supplier	Cost Centre	Reason	VAT	Total
+	Talk Talk Business	Town Council Office	Internet and telephone (Mar)	£5.39	£32.34
+	Mr G Thomson	Town Council Office	Mobile phone refund	£1.67	£10.00
+	Desborough Library and Community Hub	Town Council Office	Office Rent (Mar)	£0.00	£666.00
+	Mr G Thomson	Salaries and Employment Costs	Salary (Mar)	£0.00	£2,550.07
+	LGSS Pensions	Salaries and Employment Costs	Pension (Mar)	£0.00	£1,138.52
+	HMRC	Salaries and Employment Costs	PAYE (Jan - Mar)	£0.00	£2,798.36
	Vanessa Treasure Designs	Town Council Office	Operation London Bridge preparations (approximate cost)	£28.33	£170.00
	Value Products Ltd.	Administration	TVAS safety equipment - Hi Viz Coat	£3.82	£22.90
	Beacons and Lightbars	Administration	TVAS safety equipment - warning light	£5.34	£32.05
	SLCC	Democratic Services	Training portfolio registration	£0.00	£410.00
+	Northants CALC	Democratic Services	Chair's Training	£0.00	£44.00
*	Chester Property Management	Administration	Commonwealth Day flags (three flags flown)	£15.00	£90.00

* VAT to be clarified