

# KETTERING TOWN COUNCIL

## REPORT FOR DECISION

Item No:- 21/106

Committee:-	COUNCIL
Date:-	15 <sup>th</sup> December 2021
Author:-	Martin Hammond, Clerk
Report Title:-	Changes to the Constitution
Wards Affected:-	All

### 1. Purpose of Report

To seek approval for a number of changes to the constitution, in the light of experience over the first 9 months of the Council's existence.

### 2. Recommendations

The Committee is recommended to approve:-

- New Terms of Reference for the Neighbourhood Planning Committee
- The principle of having named substitutes for all committees
- The delegation to the clerk to make agreed payments where there is a contract in place, without seeking the approval of Finance and Governance Committee
- A fresh form of wording on its status as a Town Council to satisfy the College of Arms and its submission of a petition to the Queen in respect of the coat of arms.

### 3. Information

**3.1 Neighbourhood Planning Committee** . At its meeting in November, the Neighbourhood Planning Committee, in appreciation of the workload that would flow from the eventual adoption of the South West Kettering Neighbourhood Plan and in anticipation of other parts of town being interested in creating a plan in future, agreed to propose a new set of terms of reference to Council. A draft is attached as Appendix One. These reflect the ongoing monitoring role the committee will have, the need to include co-opted residents from areas which have or wish to have a plan, and provides some flexibility in size of membership in future, if more than two neighbourhood plans are created.

**3.2. Named Substitutes** Named substitutes were set out in respect of Planning Committee but not any other committee. It is proposed that all committees enjoy this facility, to enable the fullest attendance at meetings where changes to dates have been unavoidable, and/or to ensure a quorum can be achieved. It should normally only be necessary for each group to propose one member as a substitute to be called on. This practice can be embedded at next Annual Council, but Council is asked to approve the measure now to avoid any difficulties between now and May.

**3.3. Delegated powers** . Currently, the approval process for all invoices received by the Council are that they are reported to Finance and Governance Committee for approval, posted by the clerk to the payment schedule on the bank account thereafter, and then authorised by any two of the three named members with authority to do so. The effect of this is that it can take 4-6 weeks to get many invoices paid, which is often unfair on the supplier. The experience of the Welcome Back Fund as well, is that many small suppliers are waiting a long time to be paid. In future, if the Council is to fund many more events, then it is possible that hundreds of invoices will be obliged to follow this process. It is therefore requested that, where a contract exists (eg payment of rent to NNC or for IT support, or for the clerk's salary or tax payments) or has been specifically agreed to by members (e.g. by authorising an event or project) that the clerk is empowered to post the invoice without first securing committee approval for it. The authorisation of members is still required before a payment can be actually made. All payments made will continue to be reported to Finance and Governance Committee as now.

**3.4. Town Status** Members will recall that they resolved to adopt the status of a Town Council at their meeting in June, which was a necessary process in supporting the continuation of the Mayoralty but also required to secure a coat of arms. The College of Arms has asked that the following form of words be adopted in order to enable them to submit a petition to the Queen, to adopt a new coat of arms.

*"That at a meeting held on 15<sup>th</sup> December 2021, Kettering Parish Council resolved, pursuant to s245 (6) of the Local Government Act 1972, that the said parish should have the status of a town and that the said parish should be known as Kettering Town Council"*

#### **4. Consultation and Engagement**

4.1 Item 3.1 results from a discussion with elected and co-opted members of the Neighbourhood Planning Committee.

4.2. Item 3.2. results from the experience of two meetings being at quorum in the last month and one where a change of date meant two members were unable to make the new date, upsetting the political balance on the committee.

4.3. Item 3.3. - A small number of complaints have been received from suppliers as to late payments with some reminders being issued.

4.4. Item 3.4. This follows advice from the College of Arms

## **5. Finance, Legal and Resource Implications**

5.1. Items 3.1 and 3.4. flow from the need to reflect regulations and practice.

5.2. Items 3.2. and 3.3. are intended to improve efficiency and ensure meetings are well attended

## **6. Policy Implications**

None

### Background Papers

Email from the College of Arms 19<sup>th</sup> November

Minutes of Council 15<sup>th</sup> June 2021 and of the Neighbourhood Planning Ctte 9<sup>th</sup> November 2021

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## APPENDIX A

### **KETTERING TOWN COUNCIL**

#### **NEIGHBOURHOOD PLANNING COMMITTEE – TERMS OF REFERENCE**

1. The Committee's responsibilities, as set out in these terms of reference, are defined and agreed by the full Council which may decide to make changes from time to time.
2. Meetings are to be held when required and at suitable venues.
3. Membership of the committee will comprise
  - a. Three councillors appointed by full Council, with two named substitute members, or, where there are more than two neighbourhood plans in preparation or in being, five councillors
  - b. Two co-opted members drawn from the body of residents of each proposed or agreed neighbourhood plan area, as selected by the residents concerned, in whatever way they agree.
4. Council would not normally with-hold its agreement to the appointment of co-opted members as determined by residents and must set out reasons why it does.
5. The quorum of the meeting shall be two members of Council (or three where there are five members) and one co-opted member from each neighbourhood plan area.
6. Written minutes will be taken to record the Council's decisions and will be received at the next full Council meeting.
7. Responsibilities
  - a. To facilitate the development of neighbourhood plans for areas within or across the Kettering parished area, in conjunction with the residents and businesses affected
  - b. To recommend to full Council the submission of a Neighbourhood Plan to North Northamptonshire Council
  - c. To agree communication, consultation and engagement strategies and plans to engage people who live, work and carry on business in the neighbourhood area with the neighbourhood planning process. This will include raising awareness around the purpose and function of the neighbourhood plan, gathering information to inform the development of the plan, update people on the progression of the plan and promote the referendum to encourage voting for the making of the plan.
  - d. To monitor the effectiveness of policies contained within a plan over time, and to
    - i. Alert the Town Council's Planning committee to applications which might conflict with the plan
    - ii. Alert the planning authority to plans, proposals and applications which might conflict with the plan
    - iii. Suggest ways in which the plan might be amended over time.
8. The committee shall have regard to the professional advice of NNC planning officers and to the legislation and regulations in place governing the creation of plans.

