

BROUGHTON PARISH COUNCIL

Minutes of the Meeting of the Parish Council, held at Broughton Village Hall on Wednesday, 19 September 2018, commencing at 7.00pm.

Present: Cllrs R Shrive (in the Chair), Mrs HJ Bull, Mrs JC Chester, M Rose, Mrs P Wade, Mrs S West, and Clerk to the Parish Council, Mr GA Duthie.
County Cllr Mrs C Smith-Haynes and Borough Cllr J Hakewill were both present for part of the meeting.

18/7841 **APOLOGIES.** Apologies were received from Cllr Mrs PA Scouse (away on holiday) and Cllr R Baxter (away on holiday).

18/7842 **DECLARATIONS OF INTEREST.** No declarations were made.

18/7843 **MINUTES.** The draft minutes of the Parish Council meeting held on 18 July 2018, copies having been circulated, were approved by members and authorised for signature by the Chair.

18/7844 **RIGHT TO SPEAK.** The facility was not used at this meeting.

18/7845 **REPORTS OF COUNTY AND BOROUGH COUNCILLORS.** Borough Cllr Hakewill addressed the meeting; commenting first on the conclusion of the consultation around the future local government structure for Northamptonshire, which effectively had left little discretion for the affected Councils to influence. It was suggested there was a consequent need for local councils at town and parish level to give great consideration to what services they might want to provide in due course, given the likelihood that discretionary provision leading up to and beyond the establishment of the new unitaries was likely to be severely curtailed. Already, this could be seen occurring, with immediate impacts apparent to bus services. Members commented that, although the village did still enjoy a notional hourly service most days, the route and timetable meant this was not the most effective or convenient option, especially for people commuting to work in local towns. A further issue arising from the proposed reorganisation was that there is a clear case for Kettering town to become parished to ensure parity in terms of funding and council tax etc. Turning to the impending Neighbourhood Plan referenda, Cllr Hakewill was hoping for a very good turn-out and positive endorsement of the plan and development order, which would be a great result for the village and a first for the Borough. Finally, in connection with the grit bin issue, it was understood that bins could be bought and installed at local council cost, but refilling would have to be done privately as this service was no longer available from the County Council. After one or two general questions, Borough Cllr Hakewill left the meeting at 7:20pm.

18/7846 **MATTERS ARISING.** Arising from the planning appeal now lodged in respect of the Grange Road 'paddock' application, a request was made that members be circulated with the PC objection that had been submitted.

18/7847

REPORTS OF COUNTY AND BOROUGH COUNCILLORS continued.

County Cllr Mrs C Smith-Haynes joined the meeting at this point; apologising for late arrival due to having to attend a safeguarding training event. Councillors received a report that included confirmation that 6 of the 7 authorities affected by the proposed reorganisation in the county had now confirmed their acceptance of the only structure proposal on the table; that scrutiny training was being rolled out for County members as recent events had revealed this area was not as robust as it might be and formal scrutiny arrangements at the authority may well be reviewed; that there had been 3 extraordinary meetings held recently due to the government intervention; that Speedwatch training had been attended; that a meeting had occurred with the Chief Constable and a police and crime workshop attended; that a new chief executive was now in post at the County; that the new University Riverside campus had been opened; and that dialogue continued with Orlingbury and Pytchley parishes in connection with the cross roads safety concerns.

18/7848

MATTERS ARISING continued. Arising in respect of the Speedwatch initiative, and with a view to recruiting more volunteers, it was reported that proposed wording for a publicity leaflet to be circulated in the parish had been approved by the Chair for publishing given the Council's declared support for the scheme.

Arising in respect of The Old Willows and the issue of compliance with previous and newly imposed planning conditions, it was reported that the Borough Council had advised an application had been made to discharge condition 5 (requiring layout and landscaping details to be submitted within 4 weeks and then completed within 4 weeks of being approved); the reference number for this being AOC/0980/1701 and the application having been made on 8 May 2018. Further, the Borough Council had advised caravans had been moved (including those on the eastern boundary) and relocated as envisaged by the submitted layout, with pitches being marked. It was indicated that the condition was likely to be discharged upon this work being completed.

Members considered this response and agreed that the timeframe for this being achieved was not what was required by the Planning Committee when the application was determined, nor was the sequence of events in conformity with the condition. Approval should have been secured before laying out works, and then the works should have been completed within the 4 weeks allowed. Over 5 months had now elapsed and still compliance had not been secured. The Clerk was asked to communicate this and the Parish Council's concern.

Arising from the High Street Recreation Ground project, it was reported that Playdale Playgrounds Limited had confirmed an overpayment of £2,000 had been received against their invoices as a result of the direct payment made by the Market Harborough Building Society Trust. A refund of the same amount had accordingly been arranged, which should be credited by BACS transfer today (19th September).

Arising in respect of the extensive works undertaken to 16 and 18 Glebe Avenue, where outhouse extensions to both had been removed, it was reported that Kettering Borough Council had confirmed that the matter had been investigated and it was

considered that no breach of development control had arisen.

Arising from the County Council cut backs to gritting services, and following the concerns raised about Northampton Road and Cransley Hill, the County had advised private bins could be installed in approved locations at parish cost but the County would not be able to supply grit to stock the bins. This could be obtained from builders' merchants however. The winter helpdesk would be able to assist in arranging provision: northamptonshirewintermaintenance@kierwsp.co.uk

18/7849

CORRESPONDENCE. The following items of correspondence were reported:

- a) A communication received from Cllr Alan Parker advising that, as he was finding it difficult to commit time to the parish council due to family responsibilities, he was tendering his resignation as a councillor. Members noted this with regret but also understood the councillor's reasons. It was agreed to notify the Returning Officer of the resulting casual vacancy and to record the Parish Council's thanks for Cllr Parker's valued contributions whilst in office.
- b) An exchange of emails following a communication received from the Borough Council that advised of damage sustained to the skate ramp at the Village Hall playing field recently. Unfortunately, this coupled with wear and tear associated with the age of the facility had meant the same had needed to be removed in the interests of health and safety. Although it was understood there was an intention on the part of the Playing Field and Village Hall Association to develop a new MUGA and skate facility in 2019, it was also recalled that Kettering Borough Council had previously committed to maintaining the existing facility at Broughton as the village had been omitted when new ramps were provided at other villages and the damaged one was a 'made good' temporary ramp that had been constructed for a one-off event and recycled. It was agreed the Borough Council should be reminded of this commitment.
- c) A series of emails exchanged concerning the adoption (or otherwise) of the public open space areas at the Redrow development and, more particularly, the provision of litter bins following the high number of incidents of dog fouling and dumping of dog waste bags in those amenity areas. Advice from Kettering Borough Council was that adoption of the areas had yet to occur so bins were not present or serviced currently; it may be that planning conditions might require this in due course and query had been made of the Borough Council to establish if so, and the relevant timetable. This may need following up however, as the former case officer had moved on.
- d) A communication received from Northamptonshire ACRE, publicising a major project being launched by that organisation to explore and develop the future use of its Hunsbury Hill Farm site under the theme '*Bringing the Rural to the Town*'. Members noted a workshop was to be held on 26 September at Hunsbury Hill, and publicity material was placed on circulation.

- e) An email received from the Council's appointed Footpath Warden, Mr Kevin Burton, providing an update on various rights of way matters around the village. Amongst the points raised, councillors were very pleased to note that all paths and bridleways appeared to be passable presently; thanks being due to Mr Burton for his work in clearing part of GG5. Further, a need had been identified for finger posts to sign the footpath leading off Cox's Lane.
- f) An email enquiry submitted to Kettering Borough Council by Cllr Mrs Robson, who was raising on behalf of Streetwatch concerns in respect of the condition and security of the council garages at Carter Avenue. Members noted this area was becoming a focus for antisocial behaviour and fly-tipping, and that some of the garage units were becoming derelict and unusable. The point was made that there was demand for garages to rent in the village and if the dilapidated units were renovated, this should discourage vandalism and antisocial behaviour.
- g) A letter received from Royal Mail raising awareness of new measures being promoted by the organisation to combat scam and fraudulent mailings, which were a source of distress and loss to more vulnerable recipients. Publicity material was provided for circulation and display.
- h) A communication from Costain Galliford Try, promoting a new community panel to consider traffic management and diversion routes associated with the forthcoming M1 junction 13 to 16 smart motorway scheme.
- i) A letter from the Pensions Regulator reminding the Parish Council that it was time to re-declare compliance with its auto-enrolment responsibilities. Members were advised this could be done easily enough in respect of the current clerk, who did not require to be enrolled but would need to be reviewed again in respect of any new clerk appointed to succeed him from 15 October, when he retires.

18/7850

REPORTS OF MEMBERS ATTENDING MEETINGS OF OTHER BODIES.

The Chair reported upon his attendance at the recent service to mark the licensing of the new vicar; a copy of the Order of Service being placed on circulation.

18/7851

POLICING. The July and August reports from Street Watch were placed on circulation; members also noted an email from Sergeant Offord concerning antisocial behaviour and nuisance occurrences in the village. Specifically, it was advised that anonymous reports could not be progressed, which concerned members who were aware that some suffering problems were fearful of reprisals if complaints were attributed. Further, it was also noted that one PCSO had been successful in creating a communication avenue with a particular group that should, if necessary, allow complaints concerning any members of that group to be followed up more easily. Whilst this was welcomed as being generally positive if dialogue was occurring where there had previously been none, members remained concerned that special arrangements appeared to have to be put in place for that group, which might imply some lack of reach otherwise by the police.

DEVELOPMENT CONTROL.**Planning applications submitted for comment:-**

The following applications were considered and it was agreed that no observations need be made:

5 Coxs Lane	Garage conversion and replacement	Mr Cartwright
27 Wellingborough Road	Pedestrian crossover	G U Housing
1 St Andrews Way	Side and rear extension	Mr Rhodes

The following application was considered and it was agreed there was no objection to the proposal in principle provided conditions are imposed to ensure the use is not commercial and that no artificial lighting of the arena is installed, both being believed necessary to protect neighbouring residential amenity. In addition, members did recall this site has previously been discounted from policy allocation for potential use as a gypsy/traveller caravan site due to possible contamination issues. Whilst these issues, should the same contamination potential still subsist, might not indicate against the use now proposed, the council did want to flag this in case Environmental Health input should be sought to assist determination:

Land at Wellingborough Rd	All weather equestrian arena	Ms Leggett
---------------------------	------------------------------	------------

Planning appeals notified

Members noted that an appeal had been lodged in respect of the DB Symmetry warehousing and distribution proposal on land off the A509 north of Isham, as previously objected to by the Parish Council. The mode of disposal for this was to be by local public inquiry commencing on a date to be advised; the appeal reference is APP/L2820/W/18/3208228. Councillors were content to rely on their previous comments objecting to the application, which would be submitted to the Planning Inspectorate by Kettering Borough Council.

Planning decisions notified:

The following decision had been notified, being an approval subject to conditions:

16 Oak Close	Single storey extension/rooflight	Mr N Burgess
--------------	-----------------------------------	--------------

FINANCE. The following items of income and expenditure were noted/agreed:-

Income		£
Playdale Playgrounds	Refund of overpayment	2,000 .00
Expenditure		£
Barclays Bank PLC	Commission (direct debit)	2.00
Zen internet	Web hosting (2 of) (direct debit)	5.99
Broughton PF&VHA	Room hire (2 of) (stdg order)	10.20
M Baines	Pocket park maintenance (101833)	600.00
H Bull	Neighbourhood plan exps (101834)	345.00
GA Duthie	Salary and WP (incl Aug) (101835)	259.15
HMRC	Income tax (101836)	142.43

GA Duthie	Telephone exps	(101837)	56.93
GA Duthie	Contractual retirement award	(101838)	2,669.79
HMRC	Income tax on award	(101839)	1,144.19

18/7854

NEIGHBOURHOOD PLAN. The meeting heard the referenda in respect of the Neighbourhood Plan and the associated Neighbourhood Development Order were to be held tomorrow, 20 September 2018, with the polling station being at the Chapel on the High Street. The count would be undertaken the next morning at the Kettering Borough Council offices, and it was anticipated the result should be known around mid-day. Members were advised that there had been some dialogue with the KBC Elections Manager as to who to admit to polling station and count as observers and it had been agreed that up to 4 members of the Neighbourhood Plan Group should be allowed to observe, with times/duration being for them to settle. Councillors were again asked to ensure that voters were encouraged as much as possible to turn out for the poll; with considerable efforts having been made to publicise the referenda, their purpose and local importance.

18/7855

RETIREMENT OF CLERK AND REPLACEMENT. Members considered and approved the formal calculation of the contractual retirement gratuity payable to Mr Duthie in accordance with the applicable provisions of the Local Government (Discretionary Payments) Regulations 1996 as was required by his contract of employment. Copy appended.

It was confirmed that the resulting position had been advertised with interviews of prospective candidates to occur on Friday 21 September; it being hoped an appointment would result. To assist a smooth handover, it was agreed a portable hard-drive should be procured to accept electronic file that needed to be transferred and the retiring Clerk was working to minimise the paper records or material that needed to be accommodated although there would still inevitably be an amount of this despite the extent to which communications were now received by email. The meeting noted the minutes for this meeting would be produced by the retiring Clerk and issued with the agenda for the October meeting as usual (with copies being uploaded to the website etc). Depending on the experience and capacity of the incoming Clerk, it was confirmed that advice and information would be provided by the retiring officer to support new incumbent.

18/7856

GENERAL INTEREST ITEMS.

Cllr Mrs West advised the meeting that it had come to her notice that mail for the caravan site seemed to being left for collection at a High Street store, rather than being delivered to the site for some reason.

Cllr Mrs Bull mentioned an initiative called ‘Kettering Soup’ that had come to her attention and seemed interesting. Members heard this was an occasional pitching type event, following the broad format of TV show ‘Dragons Den’, where attendees pooled their entry fees and then made presentations in support of good causes they represented; with the successful pitcher (as judged by the majority of attendees) being awarded the pooled sum for their cause.

The Chair informed the meeting that a street light, near number 3 Grange Road, was not working and had been out for some time despite having been notified. The Clerk agreed to re-report.

The Chair mentioned that the old School House on Cransley Hill was again suffering with vegetation overgrowth that was unsightly.

18/7857 **DATE OF NEXT MEETING.** It was reported that the next scheduled meeting of the Parish Council, would be on Wednesday 17 October 2018, at 7:00pm in the Village Hall.

18/7858 **URGENT ITEMS ADMITTED BY THE CHAIR.** This being his last meeting before retiring on 15 October 2018 after 23 years as Clerk, members extended their thanks and best wishes for the future; also presenting the Clerk with a retirement gift, which was gratefully received along with councillors’ kind words.

No further matters were raised and the meeting was duly closed at 9:00pm.

17 October 2018

Signed.....

Broughton Parish Council

Retirement of Clerk, Gary Alexander Duthie, effective 15 October 2018

Calculation of contractual retirement gratuity

Employment contract dated 22 June 1995 requires gratuity in lieu of local government pension scheme membership, payable as '*the maximum allowable under Part K of the Local Government Superannuation (Miscellaneous Provisions) Regulations 1987*' or any successor ("the 1987 Regulations") - contract clause 19.

For the purposes of contractual gratuities in lieu of pension entitlement, the 1987 Regulations were repealed and replaced by the Local Government Superannuation (Gratuities) Regulations 1995 and the Local Government (Discretionary Payments) Regulations 1996 ("the successor Regulations").

Where the annual rate of remuneration is below the National Insurance Lower Earnings Limit, the Successor Regulations provide that the maximum retirement gratuity payable shall be an amount equal to 3/80th (3.75%) of the annual rate of remuneration for each year of service.

The annual rate of remuneration is £4,422. The Lower Earnings Limit currently is £6,032.

The employee completed 23 complete years' service.

The basic payment is therefore $(3.75\% \times 4,422) \times 23 = \text{£}3,813.98$.

HMRC guidance in the Employment Income Manual (published 22 May 2014; updated 16 April 2016) advises that where service post 5 April 2006 is included (as is the case here), the maximum tax-exempt lump sum payable is 25% of the total gratuity; the remainder being taxable at the retiring employee's marginal rate if not used to buy pension rights and commuted into a payment.

The employee is taxed on code D0 for parish council earnings so the marginal rate is 40%.

The tax-free element is accordingly $25\% \times 3,813.98 = \text{£}953.50$.

The Taxable element is accordingly $3,813.98 - 953.50 = \text{£}2,860.48$.

The income tax payable is accordingly $40\% \times 2,860.48 = \text{£}1,144.19$.

Taxed payment to employee is accordingly $2,860.48 - 1,144.19 + 953.50 = \text{£}2,669.79$.

Cheques 101838 and 101839 accordingly drawn in these sums.

19 September 2018