

REPORT TO: Town Council – 27th September 2021
REPORT ON: Co-Option of new Councillors
REPORT BY: Responsible Finance Officer
REPORT DATE: 22nd September 2021

As a result of a resignation in July 2021 Daventry Town council has a councillor vacancy which is to be filled by co-option for Daventry West Ward.

Details of the vacancy was promoted via the Town Council's social media and as a result of this five members of the public have put their names forward for consideration:

- Billy Butler
- Toma Chirila
- Philip Silk-Neilsen
- Robert Symons
- John Tippet

All candidates were provided with key information relating to the Town Council, how it operates and the role of a Town Councillor together with a copy of the Co-option Policy and Procedure (Appendix 1).

Each candidate has been invited to attend the Town Council offices to meet members informally prior to the Council meeting and/or provide a written statement to support their application (copies of statements received attached Appendix 2).

To summarise the procedure:

1. Candidates will remain in the reception area, whilst individual candidates present their application to Council.
2. The order in which each candidate will present themselves will be drawn by lots.
3. Once all candidates have finished presenting to Council, the council will proceed to a vote.
4. Members are required to nominate and second their preferred candidates.
5. After each proposal and seconder the Chair will ask if there are any further nominations (you must nominate your preferred candidate at this stage of proceedings, otherwise they will not be considered).
6. A vote will be taken, in the order of the first nominee, by a show of hands
7. **You can only vote for one candidate.**
8. In order for a candidate to be elected to the Council, it will be necessary for them to obtain an absolute majority of votes cast (50% + 1 of the votes available at the meeting).
9. Absentions, if any, shall be excluded from the calculation of the number of persons present and voting.
10. The Chair has the casting vote.
11. If there are more than two candidates and there is no candidate with an overall majority in the first round of voting the candidate with the least number of votes will drop out of the process. Further rounds of voting will then take place with the process repeated until a candidate has an absolute majority.
12. Newly co-opted members are required to complete a "Declaration of Office" form.
13. **The successful candidate can be invited to sit at the table for the rest of the meeting, but as they would not have been summoned and served with an agenda for the meeting, they are not able to participate or vote.**

REPORT TO: Town Council – 27th September 2021
REPORT ON: Recommendations from Committees
REPORT BY: Responsible Finance Officer
REPORT DATE: 24th September 2021

Community Services Committee – 6th September 2021

No recommendations to report.

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Planning & Development Committee – 8th September 2021

No recommendations to report.

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Finance & Policy Committee – 13th September 2021

FP2110.5 POLICIES

Members reviewed policies, as identified for review in the schedule and

RECOMMENDED	(i) Complaints Policy and Procedure, be approved.
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FP2110.6 STREET FURNITURE

Members referred to the report on the council's stock of litter bins within the town and considered the three options presented for the replacement of litter bins identified as required urgent replacement, after reviewing samples of the three options, members concurred that the Glasdon Jubilee litter bin (Option A) would be robust option, in keeping with those currently used throughout the town. On confirming the preferred style of bin, members reviewed the funding options for the level expenditure required for the project and given the urgent need to replace bins that were in disrepair, had been vandalised, or had been removed due to safety concerns, concurred that the use of Community Infrastructure Levy (CIL), restricted funds which were immediately available, should be used to fund the purchase of the litter bins.

RECOMMENDED:	(i) That the council approve the purchase of 45 Glasdon Jubilee litter bins (option A). (ii) That the council approved the use of Community Infrastructure Levy (CIL), Restricted Funds to fund the shortfall in available funding for the purchase of litter bins.
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REPORT TO: Town Council – 27th September 2021

REPORT ON: Friends of Daventry Country Park

REPORT BY: Chief Officer

REPORT DATE: 22nd September 2021

The Friends of Daventry Country Park are a group of volunteers committed to supporting the work of West Northamptonshire Council and the Country Park Rangers in protecting, preserving, and promoting Daventry Country Park.

The aims of the Friends of Daventry Country Park are:

- To develop a broad spectrum of educational and cultural activities at Daventry Country Park for the whole community, near and far, to enjoy.
- To promote and support the work of the Rangers in wildlife care and woodland management.
- To ensure Daventry Country Park is a safe, clean and pleasurable place for visitors of all ages, especially young people and families.
- To help promote the knowledge of wildlife and nature in general at Daventry Country Park.
- To promote knowledge of traditional farming methods, rural crafts, rare breed animals, conservation and ecological issues of all types.

Projects

- **Water Safety-** working with Daventry District Council, Canal and River Trust, Northants Fire and Northants Police, the Friends are funding the purchase and installation of a new throwline water safety device. These new throw line boards will help improve water safety at the park and are vandal proof.
- **Bird screens** - The group have been working on a project to install 5 new bird screens around the park to compliment the bird hide and give wildlife watchers alternative views. The screens have been custom made and are located around the park near the water's edge.
- **Bird hide** - The group worked with local company Victory Engineering on the installation of the bird hide overlooking the reservoir from Lovells Bay. The hide is a converted container which was donated by Hi-Force of Daventry. Funds were successfully received from Daventry District Council, Daventry Town Council, DDH Community Chest fund and Waitrose Community Matters to cover the costs of the project.

Volunteers from the Friends group came together to prepare a suitable surface ready for the delivery of the finished bird hide and also prepared the foreshore for viewing. Once the hide was delivered on site, the volunteers painted it and constructed a walkway and path to allow access for all.

- **Bridge hide** - In 2017 Daventry District Council completed the re-build of Bridge hide. The Friends committee built a bird screen at the far end of walkway to complete the project. This is a great location for catching a glimpse of the wildlife at the lower end of the reservoir.
- **Informative walks** - Each year the Friends group lead a variety of informative walks at Daventry Country Park and Borough Hill including wildflowers, spring bird watch, winter wildfowl and an annual towpath walk to Braunston. For information on the events and activities please visit our [Facebook page \(www.facebook.com/FriendsDCP/\)](https://www.facebook.com/FriendsDCP/)

REPORT TO: Town Council – 27th September 2021
REPORT ON: S106 Southeast Sustainable Urban Extension (SUE) – Malabar
REPORT BY: Chief Officer
REPORT DATE: 22nd September 2021

Section 106 of the Town and Country Planning Act 1990 allows a local planning authority (West Northants Council), to enter into a legally binding agreement or planning obligation with a landowner as part of the granting of planning permission. The obligation is termed a section 106 agreement.

Section 106 agreements are a way of delivering or addressing matters to support the provision of services and infrastructure, such as highways, recreational facilities, education, health and affordable housing.

It is also a mechanism for the transfer of open green spaces associated with new developments to local authorities. However, the principal council has no powers to insist that the green space is transferred, but in most cases, this is where a parish or town council is consulted on whether they wish to be considered for the transfer of any open green space and for this to be included in the S106 Agreement.

Recently many developers prefer to retain the green spaces and/or put their future maintenance/management into the hands of a third party (usually a management company set up specifically to undertake this task). The potential financial benefit to the developer of retaining the green spaces is that there is not a requirement to pay a commuted sum. Instead, the developer sells properties within the development with a covenant requiring the property owner to pay a 'service charge' for the up-keep of the green spaces (i.e. Monksmoor development). The consequence of this decision is that the council has no control over the charge or annual increase that is applied by the management company as this is related to the sale of the property for a purchaser to consider. Furthermore, the council has no management/maintenance responsibilities but also no remit to address issues that might arise regarding the management of the space.

It is worth noting that it can take several years after an S106 Agreement has been signed and the development has been completed before a council has ownership and is responsible for the maintenance of any green space. In fact, it is likely that these areas will be maintained by the developer for at least 12 months before the freehold is transferred, along with a commuted sum, to enable the council to maintain in perpetuity.

As part of the consultation process, initial discussions suggested that the transfer and management and maintenance of these open spaces would facilitate a commuted sum over a 20 year period (as specified in the Open space maintenance contribution within the Open Space Study [Daventry District Council - Evidence Base \(daventrydc.gov.uk\)](https://www.daventrydc.gov.uk/evidence-base))

However, as negotiations between the developer and West Northants Council has progressed, WNC officers have, identified the open space as strategic, resulting in the commuted sum being limited to 10 years rather than 20 years reducing the financial contribution by approximately 50% (£1,309,290).

Having carried out relevant research on costs to manage and maintain the public open space (as defined in the document entitled DEFINE, Indicative Public Open Space Schedule, Malabar, SW Daventry April 2020), as the Proper of Officer of Daventry Town Council (and in consultation with the Finance and Policy Committee at its meeting on 13th September 2021, the Chief Officer responded that it would not be financially viable to accept the transfer of this open space, under the proposed terms of the commuted sum being calculated over a 10 year period.

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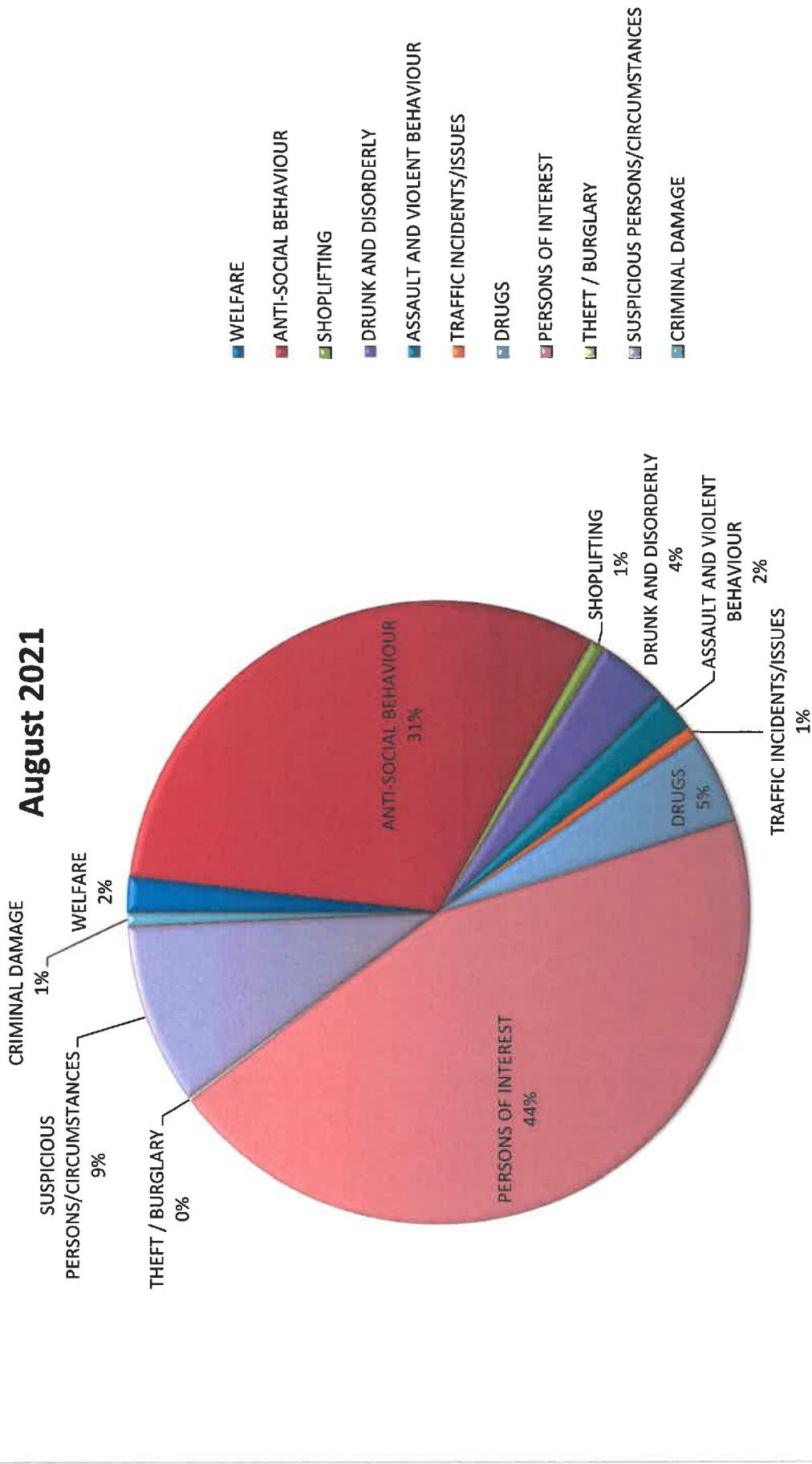
A response has not yet been received to challenge the Town Council's response. However, members must note that the Town Council is only consulted in relation to the S106 and has no power to stipulate the wording. At present the draft S106 provides the **opportunity** for the Town Council to take on the maintenance of the play/open space however if for any reason this is not the case then it will be transferred to a management company.

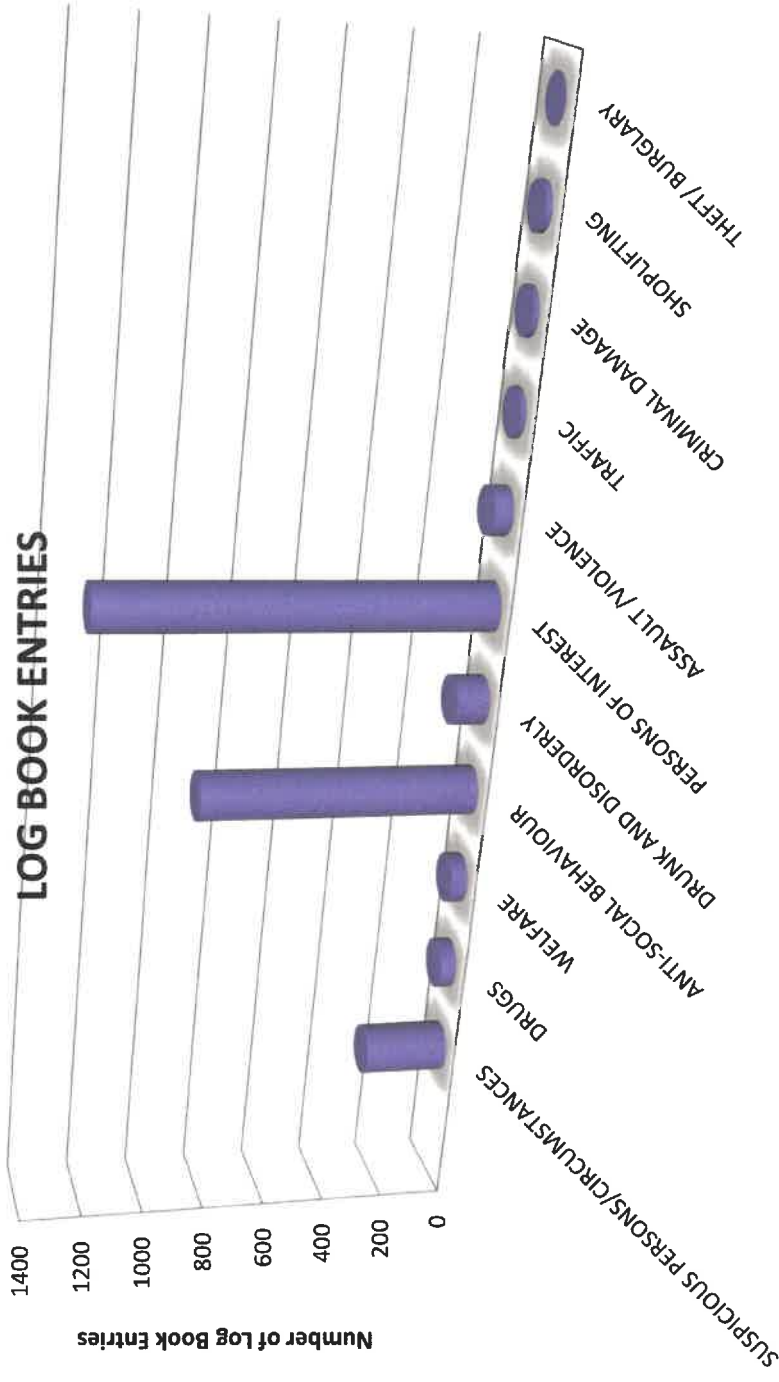
In view of the lack of engagement between the developers and the principal council with the Town Council on the wording of the S106 Agreement, and in view of other developments being considered within the Town (Daventry Northeast SUE) it is recommended that the Town Council creates a policy on the adoption of open spaces to make its intentions clear from the outset of any negotiations.

RECOMMENDATION

The council's default position is that it will seek to adopt and secure the transfer of green spaces on all new developments with the proviso that the commuted sums are calculated to either 15 or 20 years.

August 2021

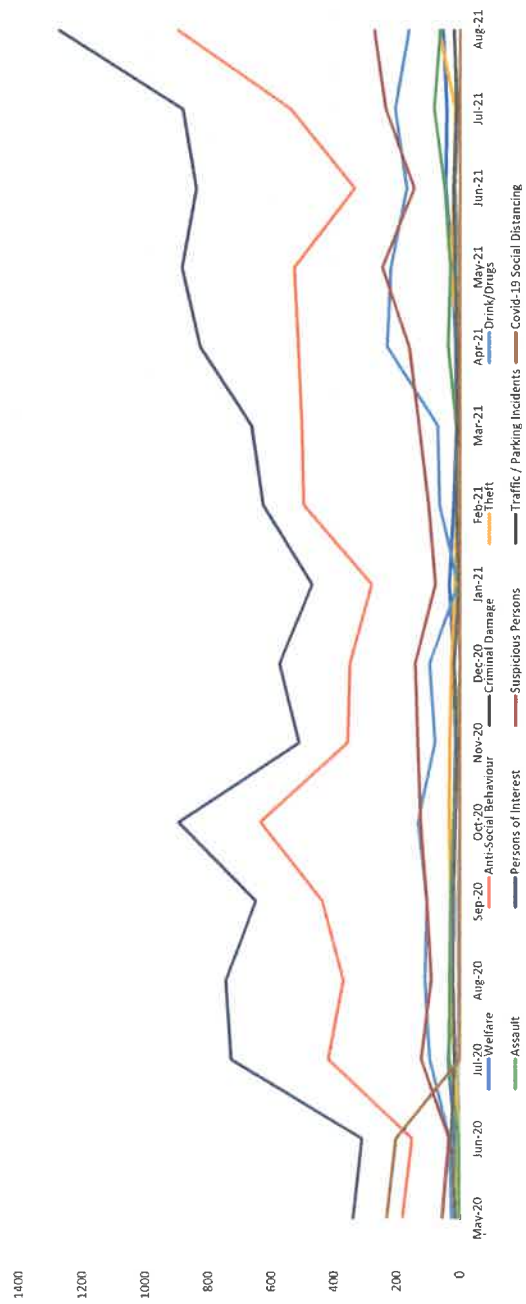




SUSPICIOUS PERSONS/CIRCUMSTANCES	DRUGS	WELFARE	ANTI-SOCIAL BEHAVIOUR	DRUNK AND DISORDERLY	PERSONS OF INTEREST	ASSAULT /VIOLENCE	TRAFFIC	CRIMINAL DAMAGE	SHOPLIFTING	THEFT/ BURGLARY
271	53	53	897	108	1274	62	19	20	22	4

■ LOG BOOK INCIDENTS

May 2020 to August 2021



May 2019 to August 2020

