

Minutes of a meeting of the Democracy and Standards Committee

Held at 7.00 pm on Thursday 16th September, 2021 in the Council Chamber,
The Corby Cube, George Street, Parklands Gateway, Corby, NN17 1QG

Present:

Members:

Councillor Lora Lawman (Chair)

Councillor Lyn Buckingham

Councillor Emily Fedorowycz

Councillor Kirk Harrison

Councillor Macaulay Andrew Nichol

Councillor Gill Mercer

Councillor Michael Tye

Officers:

Adele Wylie, Director of Legal and
Democratic Services and Carol Mundy,
Senior Democratic Services Officer
(Committees/Members)

17 Apologies for non-attendance

There were no apologies.

18 Members' Declaration of Interest

There were no declarations.

19 Minutes of the meeting held on 26 July 2021

RESOLVED that the minutes of the meeting held on 26 July 2021 be confirmed and signed.

20 Notifications received to address the meeting

A request to address the meeting had been received from Mr R Dixon in relation to report 4 of the agenda, North Northamptonshire Constitution. The chairman permitted Mr Dixon to speak.

He commented on the proposed recommendation from the Constitution Review Working Group contained in Appendix A points 2.2 and 2.3 of such report. He considered that the planning officer should continue to provide the committee with updates, but not actually present the report, as the committee members would already have received and read such report. He also considered that the said planning officer should then be permitted to speak again at the end after all other speakers to answer any questions and clarify any points raised. He also further referenced 2.3 and considered that more than one person should routinely be allowed to speak for and against and suggested that a fairer number would be three he also considered that the number of speakers permitted should be at the Chair's discretion dependent on the application and the demands of the public to address a meeting.

The chairman thanked Mr Dixon for his comments

21 North Northamptonshire Constitution

The annexed circulated report of the director of legal and democratic services was received to recommend amendments to the Constitution to provide clarity and reinforce best practice.

The Constitutional Review Working Group, at its meeting on 23 August 2021, proposed changes to the Constitution as highlighted in red in Appendix A to this report, for recommendation to full Council or for approval under the monitoring officer's delegated powers.

The chairman referenced the amendments and asked members for their comments thereon.

Councillors discussed the comments made by Mr Dixon, who was also asked to provide his presentation to the chairman. Some members suggested that it was not necessary for a planning officer to present the report and that to provide an update at the beginning of an item was adequate. Other members considered that the planning officer presenting the report along with an update was useful. At 2.3 it was agreed that the planning officer should also be able to sum up, after all other speakers, to clarify any outstanding comments and points. The monitoring officer confirmed that she could add this to 2.3 as point f). Members confirmed this would be acceptable.

In relation to the permitted number of speakers, some members were concerned that public participation was being suppressed and that the number of speakers should depend on the type of application and the public interest on an application. It was pointed out that the public had several ways to comment on a planning application and that public speaking was not the only option available to them. It was also commented that speaker numbers would need to be carefully managed to prevent duplication of issues raised and that potentially a reduction in the time for each speaker could be implemented. It was considered that this was covered within the constitution at 2.5 as the Chair could use their discretion to permit more speakers if appropriate.

The monitoring officer referred to the amendments as detailed in red and clarified that she had delegated powers to make minor amendments to the Constitution rather than it being put before council. She also clarified that an update to the Constitution would be available on the website and that a printed copy of amended pages could be provided if members wished to have them.

The recommendation to committee was proposed by Councillor G Mercer and seconded by Councillor Nichol. On being put to the vote it was declared carried.

RESOLVED to:

- (i) **Recommend** the proposed changes to the Procedures for speaking at Planning Committee within the Constitution, with the addition of the planning officer being allowed to speak again, after the other speakers at point 2.3 f);
- (ii) note that minor and consequential amendments to the Constitution, as detailed in Appendix A, be made by the monitoring officer under her delegated power.

22 **Outside Bodies Procedure Rules**

The annexed circulated report of the director of legal and democratic services was received to recommend the approval to full Council of the Outside Bodies Procedure Rules for inclusion in the Constitution.

The monitoring officer clarified that 'Outside Bodies' were external organisations and partnerships, to which an elected member had been appointed. The procedure rules, as appended to the report, detailed how the list of outside bodies had been compiled and how it would be maintained, and considered national, regional and local organisations and the level of involvement required from councillors. The outside bodies would also be reviewed each year prior to annual council, where nominations and appointments would be made thereto. She also clarified that guidance notes would be issued to outside bodies to ensure that the correct governance structure, Insurance and other items were in place as appropriate.

Members thanked the monitoring officer for the work that had gone into condensing the outside bodies into a manageable list and considered that it would be beneficial for town and parish representatives to have the opportunity to be involved with some community based outside bodies. The monitoring officer clarified that there would be opportunities for this to happen. There would also be an opportunity for nominations and appointments to be made at the council meeting.

RESOLVED to recommend to full Council that these rules be approved and included in the council's Constitution.

23 **Draft Constitutional Amendments**

The annexed circulated report of the director of legal and democratic services was received to consider potential amendments to the Constitution.

Following consideration by the Constitutional Review Working Group at its meeting on 23 August 2021, suggested amendments were proposed to be made in relation to:

- Substitute Allocations;
- Democracy and Standards Committee Voting Rights;
- Start time of full Council meetings

These were discussed in more detail by members.

Substitute Allocations

In summary it was proposed that guidance be put in place in relation to the substitute arrangements for all the council's committees as detailed in Appendix A to the report. The monitoring officer confirmed that a member submitting their apology for a meeting

needed to contact one of the substitute members as soon as possible to ask them to attend in their place. She clarified that democratic service officers issued the agenda and reports to all members of the committee along with the substitutes to ensure they were aware of the meeting.

Democracy and Standards Committee Voting Rights

It was proposed that caveats, as detailed in Appendix B to the report, be placed upon what Town and Parish Council representatives would be permitted to vote upon, in relation to the committee's responsibilities. The main purpose of the Town and Parish representative's role related to the 'standards regime' and the member code of conduct. The Constitution did not stipulate any restrictions on what the representatives could vote upon, and it was considered inappropriate for the representatives to be able to vote upon issues which did not directly fall under their responsibility.

Members raised general concern over the appointment of Town and Parish representatives on the committee and the potential political balance implications of the representatives. There was also concern over the quorum of meetings and the terms of reference.

The monitoring officer responded and confirmed that the quorum of the committee was adequate as substitutes were in place to be called upon should a member submit apologies. If members wished a review could be undertaken of the terms of reference and voting rights of the committee by the Constitutional Review Working Group, this would result in the recruitment of town and parish council representatives being delayed.

Members considered the options and agreed to defer this item to enable the working group to carry out a review.

Start time of Full Council Meetings

As detailed in Appendix C, it was suggested that the normal start time of full Council meetings be moved from 7pm to 2pm (whilst recognising that the full Council budget meeting may need to commence earlier). The Constitutional Working Group had considered this change thoroughly. There had been some concern that bringing the start time of full Council meetings forward may create difficulties for some councillors, however, it was noted that council meetings were infrequent and that a 7pm meeting running late into the evening was also not conducive to decision-making. It was noted that in some circumstances, councillors were allowed time off from work for public duties and that a start time of 2pm would allow for work in the morning.

Members discussed this item at length. The main area of concern was over the start time change potentially preventing members of the public from contributing to meetings. Other councillors mooted that this was generally not the case, and that daytime meetings encouraged attendance, due to the availability of public transport and the public feeling happier to attend a meeting in the daytime.

Reference was made to the council meeting held in July which concluded after 11pm. Many councillors had complained that decision making late at night, was not the best way forward and that there was a duty of care to both councillors and council employees over the hours worked and the concern of travelling home late at night.

Working councillors often attended meetings straight from their workplace, with work again the following morning. It was felt that most employers would enable a working councillor to take half a day off as annual leave a few times per year and that before putting themselves forward as councillors they would have been informed that some council work would be carried during the day time.

Some members asked if rather than updating the constitution at this point, there could be a trial period of different time options. It was also noted that the Constitution stipulated that the Chair had discretion to call a meeting at a different place or time. It was also commented that some members needed to be curtailed from speaking at length during meetings, as sometimes it was deemed unnecessary and repetitive. Other suggestions included the reduction of the number of agenda items, giving more delegation to officers, or meeting on a Saturday. It was also strongly felt that the time of the budget meeting should be brought forward to 10am so that both members and the public were aware of this well in advance. Should it be agreed that the time of the meeting be changed, it was suggested that this be a pilot and that it be subject to review.

The monitoring officer was asked where future meetings would be held as many councillors felt that meeting in one location prohibited the public from attending in the evening due to the lack of public transport. A question was also raised about webcasting and participation through Zoom which some considered had been more effective for public participation and inclusivity.

The monitoring officer confirmed that a decision on location for meetings had yet to be agreed. The Council Chamber at the Corby Cube would be used for the next council meeting in September and equipment would be hired in to enable the meeting to be webcast so the public could participate by watching the meeting. She clarified that there was currently no legislation in place to permit Zoom meetings.

After a lengthy debate the following was proposed by Councillor L Lawman and seconded by Councillor Nichol:

- (a) that it be recommended that the substitute allocations set out at Appendix A be approved;
- (b) that the Constitutional Review Working Group carry out a review of the Democracy and Standards voting rights and terms of reference and report back in due course;
- (c) that it be recommended to council that the time for full Council meetings be 2.00pm, other than the Council meeting to discuss the budget which should commence at 10.00am.

A request was made that the following additional words 'subject to review prior to the Annual Council meeting' be included at (c) above. This addition was agreed.

On being put to the vote the motion and agreed addition was unanimously declared carried.

RESOLVED that:

- (i) it be recommended that the proposal for substitute allocations as set out in Appendix A to the report be approved for inclusion in the constitution;
- (ii) the proposal for Democracy and Standards Committee voting rights be deferred to enable a review of this, and the terms of reference, to be carried out by the Constitutional Review Working Group;
- (iii) it be recommended that the proposal for an amended commencement time of 2.00pm for full Council meetings be approved, with the exception that the budget setting Council meeting commence at 10.00am, this would be subject to review prior to the Annual Council meeting.

Chair

Date

The meeting closed at 8.25pm