

Minutes of a meeting of the Democracy and Standards Committee

At 7.00 pm on Tuesday 16th November, 2021 in the

Held as Council Chamber Swanspool House Wellingborough NN8 1BP

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,
Rob Harbour,
Assistant Director, Growth & Regeneration

Paul Goult,
Interim Democratic Services Manager
Carol Mundy
Senior Democratic Services Officer
(Committees/Members)

1 Apologies

No apologies for absence were received.

2 Members' Declarations of Interest

The chair invited those who wished to do so to declare any interests in respect of items on the agenda.

No declarations were made.

3 Minutes

The minutes of the meeting held on 16 September 2021 were approved.

4 North Northamptonshire Council - Constitutional amendments

It was noted that there were no Constitutional amendments.

5 Democracy and Standards Committee - Terms of Reference

The committee considered a report of the Director of Legal and Democratic, proposing amended terms of reference for the committee for recommendation to full Council. The report was marked 'item 5' on the agenda.

The committee welcomed the changes, noting the following comments made during debate:

- (i) It was queried whether the minimum quorum should be increased from four to five. Officers advised that a quarter of voting members was normal practice and

- that as substitute councillors were permitted, councillors considered that a minimum of four was adequate;
- (ii) It was considered that at 5.2(b) of the terms of reference, the 'Planning Code of Conduct' be updated to the 'Planning Protocol' to ensure consistency. If approved the amended terms of reference will be forwarded to Council for approval;
 - (iii) Reference was also made to Standards training and it was confirmed that training would be provided to appointed parish and town representatives prior to them being able to sit on a committee;
 - (iv) A discussion took place over public participation and particularly clause 6.6 (iii) which would be re-worded by officers prior to full council to make it clearer.

RESOLVED:

That full council be recommended to:

- (a) approve the draft Terms of Reference (detailed at Appendix A), subject to the comments made above;
- (b) authorise the Monitoring Officer to arrange for a pool of town and parish councillors (a maximum of four) to be recruited and for the successful nominees to be ratified by the Democracy and Standards Committee;
- (c) authorise the Monitoring Officer to make ancillary amendments to the Constitution as required.

6 Planning Protocols

The committee considered a report of the Assistant Director, Growth and Regeneration, the purpose of which was to consider a draft Planning Protocol and draft Planning Committee Site Visit Protocol as per the appendices attached thereto. The report was marked 'item 6' on the agenda.

Arising from discussion, it was noted that:

- (i) The Planning Protocol set out the guidance and framework for decision making with its aim being to ensure the integrity of the planning system, so it is open and fair to all parties with planning decisions being made in an open, impartial manner, subject to material planning consideration and to mitigate against accusations of bias that could be made against the planning authority;
- (ii) the site visit protocol provided clear guidance to members who wished to undertake a site visit prior to determining applications for planning consent. Such site visits would be undertaken in exceptional circumstances.
- (iii) In relation to the potential use of remote technology for site viewing. The assistant director clarified that this was something that could be revisited in the future and, if agreed, would be added to the protocol.

The committee further discussed the protocols and suggested various clerical amendments and raised queries on some of the points which the assistant director advised and responded on, clarifying that those amendments would be incorporated into the documentation prior to consideration by full Council.

RESOLVED:

That full Council be recommended to approve:

- (a) the draft Planning Protocol (as detailed at Appendix A);
- (b) the draft Planning Committee Site Visit Protocol (as detailed at Appendix B).

7 Recording of Council Meetings by the Press and Public - Protocol

The committee considered a report of the Director of Legal and Democratic, which proposed a Recording of Council Meetings by the Press and Public Protocol for recommendation to full Council. The report was marked 'item 7' on the agenda.

The protocol (attached to the report as Appendix A) was proposed to ensure that the rights and responsibilities of the council, press and public were suitably in place for the recording of those council meetings.

RESOLVED:

That full Council be recommended to approve the Recording of Council Meetings by the Press and Public Protocol.

8 Politically Restricted Posts - Appeals Procedure

The committee considered a report of the Director of Legal and Democratic, which sought approval of a procedure for determining appeals made by officers in relation to the designation of a post as 'Politically Restricted'. The report was marked 'item 8' on the agenda.

It was noted that the council could, by law, designate certain posts as 'politically restricted', thus preventing the postholder from having an active political role in, or outside, the workplace. As a result the postholder would automatically be disqualified from standing for or holding elected office and such restrictions were incorporated in the terms of the employee's contract of employment.

Such employee would also be prohibited from canvassing on behalf of a political party or a person who was or was seeking to be a candidate, speaking on behalf of or undertaking work or activity that may give the impression that they were advocating support for a political party.

It was further noted that an appropriate appeal mechanism was in place and the committee had responsibility for determining such appeals with one of the Independent Persons.

RESOLVED that approval be given to the Politically Restricted Posts - Appeals Procedure, as detailed in Appendix A to the report.

9 Review of Members' Allowances 2022 - Dispensation

The committee considered a report of the Director of Legal and Democratic, which sought dispensation for North Northamptonshire Councillors and any co-opted members to remain in a meeting room, take part in any discussion and vote on any matter relating to any office for which they receive an allowance. Such dispensation

would also apply to any outside body to which they are appointed whereby they receive a taxable income or allowance and would be granted until May 2024. The report was marked 'item 9' on the agenda.

It was noted that under the provisions of the Localism Act 2011, a dispensation could be granted, whereby a member may have a disclosable pecuniary interest.

The committee raised concern that members would approve allowances at full Council.

The director explained that the Independent Remuneration Panel looked at the current scheme and comparable schemes and would make the judgment which, in accordance with statute, had to be approved by Council.

RESOLVED that approval be given to:

- (a) the granting of a dispensation, until 31 May 2024, to all members in relation to any discussion and voting on any council matter as a result of an interest that may arise, due to receiving an allowance from North Northamptonshire Council;
- (b) the granting of a dispensation, until 31 May 2024, in relation to discussing and voting on any council matter as a result of an interest that may arise due to a member receiving a taxable income or allowance from any outside body to which they have been appointed by North Northamptonshire Council;
- (c) members being advised to review and update, if necessary, their Declaration of Interest Form to ensure that receipt of an allowance from North Northamptonshire Council, is included

10 Local Government Boundary Commission for England - Review of Electoral Arrangements

The committee considered a report of the Interim Electoral Services Manager, advising the committee of the forthcoming review of electoral arrangements in North Northamptonshire by the Local Government Boundary Commission for England. Approval to establish a cross party member/officer working group to formulate and consider new electoral arrangements within the scope of the review was also sought. The report was marked 'item 10' on the agenda.

During discussion, the following principal points were noted:

- i. The draft timeline for the process along with the key consideration and extensive work that would be required to undertake the review;
- ii. The proposed number of members on the working group was queried in relation to a lack of political balance and it was suggested that the number be increased to seven, five Conservatives, one Labour and one Green Alliance.

The director of Legal and Democratic Services clarified that there was no requirement for the working group to be politically balanced hence the reason for the working group being cross-party. The proposal for five members, was not restricted to the Democracy and Standards Committee, however the working group would feed-back to the committee. Group leaders had been asked for their nominations for the working group accordingly.

The committee debated this with many supporting that the working group should be cross-party, to ensure that it was not overly political and considered the proposal for five members was adequate. Members were reminded that they could individually, and within political groups, make submissions to the Local Government Boundary Commission for England.

The chair proposed and Councillor Harrison seconded a variation to part of the officer recommendations in the report as follows:

“That the working group be made up of five members, three Conservatives, one Labour and one Green Alliance”.

The debate continued in relation to numbers and the director suggested that an additional resolution to the motion be added as follows:

‘that the working group has authority to increase the membership of the working group in the future, if it needs to do so’.

With this addition the proposal was put to the vote and declared carried, with one abstention.

RESOLVED that:

- (a) approval be given to the establishment of a cross-party member/officer working group of five elected members (three Conservative, one Labour and one Green Alliance) to formulate and consider recommendations for electoral arrangements for North Northamptonshire, such membership to be agreed by the leaders of the respective groups;
- (b) approval be given to the draft timeline for completion of the initial stage of the review (preparation and delivery of the high-level submission);
- (c) approval be given to the working group increasing the membership of such working group in the future, should it need to do so.

11 Close of meeting

The chair closed the meeting at 9.15pm.

Chair

Date