

Minutes of a meeting of the Democracy and Standards Committee

Held at 7pm on Tuesday 16 November 2021 in the
Council Chamber, Swanspool House, Wellingborough, NN8 1BP

Present:-

Members:

Councillor Lora Lawman (Chair)
Councillor Lyn Buckingham
Councillor Emily Fedorowycz
Councillor Kirk Harrison

Councillor Macaulay Nichol
Councillor Gill Mercer
Councillor Michael Tye

Officers

Adele Wylie,
Director of Legal and Democratic
Services
Rob Harbour,
Assistant Director, Growth and
Regeneration

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

1 Apologies for absence

There were none.

2 Members' Declarations of Interest

There were no declarations made.

3 Minutes of the meeting held on 16 September 2021

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 annexed circulated report of the Director of Legal and Democratic Services was received to approve amendments to the terms of reference for the Democracy and Standards Committee as detailed in the appendix to the report.

The committee welcomed the changes but suggested that the minimum quorum be increased from four to five. Officers advised that a quarter of voting members was normal practice and that as substitute councillors were permitted a minimum of four would be adequate. It was agreed that at 5.2 (b) the Planning Code of Conduct be updated to the Planning Protocol to ensure consistency.

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.

A discussion took place over public participation and particularly clause 6.6(iii) which would be re-worded to make it clearer.

Resolved to recommend to Council:

- (i) approval of the draft Terms of Reference (detailed at Appendix A);
- (ii) that authority be given to 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;
- (iii) that the monitoring officer be authorised to make ancillary amendments to the Constitution as required.

6 Planning Protocols

The annexed circulated report of the Assistant Director - Growth and Regeneration was received to consider a draft Planning Protocol and draft Planning Committee Site Visit Protocol as per the appendices attached thereto.

The Planning Protocol set out the guidance and framework for decision making with its aim being to ensure the integrity of the planning system, and make sure it was 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.

The assistant director referenced the site visit protocol which 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.

The committee asked if there had been any progress with the use of technology for site viewing. The assistant director clarified that this had been raised at the constitution working group on 4 November and that it 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 and clarified those amendments that would be incorporated into the documentation.

RESOLVED to recommend to Council:

- (i) the approval of the Planning Protocol (as detailed at Appendix A);
- (ii) the approval of the Planning Committee Site Visit Protocol (as detailed at Appendix B).

(There was one abstention.)

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

The annexed circulated report of the Director of Legal and Democratic Services was received to seek approval to the draft Recording of Council Meetings by the Press and Public Protocol.

The protocol was appended to the report and proposed for adoption by Council to ensure that the rights and responsibilities of the council, press and public were in place for the recording of those council meetings, that were open to attendance by the press and public.

The committee gave its support to the protocol.

RESOLVED to recommend to Council that the Recording of Council Meetings by the Press and Public Protocol be adopted.

8 Politically Restricted Posts - Appeals Procedure

The annexed circulated report of the Director of Legal and Democratic Services was received to seek approval to the procedure for determining appeals, made by officers, in relation to the designation of a post as 'politically restricted', as per the draft Politically Restricted Posts - Appeals Procedure as appended thereto.

The authority, by law, can designate certain posts as 'politically restricted', thus preventing the postholder from having an active political role in, or outside, the workplace. A postholder would automatically be disqualified from standing for or holding elected office and such restrictions are 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 is or seeks to be a candidate, speaking on behalf of or undertaking work or activity that may give the impression that they are advocating support for a political party.

An appropriate appeal mechanism must be in place with this committee determining such appeals along with one of the Independent Persons. The proposed procedure had been endorsed at the recent Enabling Services Directorate Consultative Forum for approval by the committee.

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

9 Review of Members' Allowances 2022 - Dispensation

The annexed circulated report of the Director of Legal and Democratic Services was received to seek 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 also applies to any outside body to which they are appointed whereby they receive a taxable income or allowance and would be granted until May 2024.

Under the provisions of the Localism Act 2011, a dispensation can be granted, whereby a member may have a disclosable pecuniary interest.

The committee raised concern that Members would decide on allowances. The director explained that the Independent Remuneration Panel would look at the current scheme and comparable schemes and would make the judgment which had to be approved by Council.

RESOLVED that:

- (i) approval be given to the granting of a dispensation, until 31 May 2024, to all members to enable them to discuss and vote on any council matter as a result of an interest that may arise, due to receiving an allowance from North Northamptonshire Council;
- (ii) approval be given to the granting of a dispensation, until 31 May 2024, to enable a member to discuss and vote 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;
- (iii) approval be given to 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 annexed circulated report of the Interim Electoral Services Manager was received to advise members of the forthcoming review of electoral arrangements in North Northamptonshire by the Local Government Boundary Commission for England and to seek approval to establish a cross party member/officer working group to formulate and consider new electoral arrangements within the scope of the review.

The draft timeline for the process was outlined along with the key considerations of the review.

The committee noted the extensive work that would be required to undertake the review, with one member querying the numbers for the working group as she considered this lacked political balance and 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 the working group was cross-party as there was no requirement for political balance. It would be made up of five members and this was not restricted to the Democracy and Standards Committee, though the working group would feed-back to the committee. Group leaders had been asked for their nominations for the working group.

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

The chair proposed that the working group be made up of five members, three Conservatives, one Labour and one Green Alliance and this was seconded by Councillor Harrison.

The debate continued in relation to numbers and the director suggested that an additional resolution 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 approval be given to:

- (i) 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;
- (ii) the draft timeline for completion of the initial stage of the review (preparation and delivery of the high-level submission);
- (iii) the membership of such working group being increased by the 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