

Minutes of the Democracy and Standards Committee

Held at 7.00 pm on Tuesday 8th February, 2022 in the Council Chamber, Swanspool House, Wellingborough, Northants, NN8 1BP

Present:-

Members

Councillor Macaulay Nichol (Chair)
Councillor Emily Fedorowycz
Councillor Kevin Watt (as substitute)

Councillor Lyn Buckingham
Councillor Gill Mercer

Officers

Adele Wylie,
Director of Governance & HR/MO
Carol Mundy,
Senior Democratic Services Officer
(Committees/Members)

Paul Goult,
Interim Democratic Services Manager

Also in attendance – Councillors Leanne Buckingham, Dez Dell and Martin Griffiths as observers

12 Apologies

Apologies for absence were received from Councillors L Lawman, K Harrison and M Tye.

13 Members' Declarations of Interest

The Chair invited those who wished to do so to declare an interest in respect of an item on the agenda.

Councillor Fedorowycz referred to a previous planning committee, where she was not permitted to speak on an item.

Councillor Buckingham commented that she was on the Area Planning Committee at Corby.

No other declarations were made.

14 Minutes of the meeting held on 16 November 2021

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

15 Constitutional Amendments - Planning Committee

The chairman welcomed two members of the public to the meeting who had made requests to speak on this item.

Mr Dixon addressed the meeting, referring to the Procedures for speaking at planning committees. He considered that the speaking rules for Planning should follow the same format as speaking at other committees. In his opinion, allowing only one third

party speaker for, and one third party speaker against, a proposal was inadequate and he felt that as most of the area meetings were not very long, there was scope to encourage further public participation as this would only add a short time to the meeting. He suggested that 15 minutes be allocated thus enabling up to five speakers. He had analysed the area planning committees and found, with the exception of meetings at Thrapston, that meetings only lasted for an hour and considered there was adequate scope for a longer period of public participation.

Ms O'Dowd also spoke and commented that it was only on rare occasions that multiple speaking requests would be made. Her concern was particularly over the use of the Chair's discretion in determining the numbers of public speakers when there was significant public demand to do so. She considered that public speaking for planning should be the same as at other committees and that if three minutes was allowed per speaker the maximum number should be increased to five per proposal.

The chair thanked the speakers for their comments.

The annexed circulated report of the Director of Governance and HR/Monitoring Officer was received to consider revisions to the administration and operation of the planning authority's committees in relation to the Planning Committee Public Participation Policy, Officer Delegation Scheme and Area Committee Quora.

The committee welcomed the procedure and guidance for the Chairs of Area Planning Committees.

Committee members who were currently, or who had previously chaired planning committees, considered that it was important for the public to have their say and enabling the Chair to use their discretion when an application resulted in considerable public interest, was a good way forward.

It was noted that planning could be a very emotive subject and that the committee was only able to consider material planning issues when determining an application. It was often sufficient for this to be provided by one speaker and repetition was not always helpful in the determination process. It was also considered extremely useful that the committee could ask questions of clarification of speakers.

Some Members of the committee considered that there was insufficient public speaking time. Often those opposing an application felt that their concerns were being overlooked and that they weren't being given a voice during the planning process. It was felt there needed to be greater democracy during the planning process.

Clarification was sought over the point at which the Chair's discretion on the number of speakers permitted would be used, as the guidance was unclear. It was also expressed that this discretion bestowed too much power and responsibility on one individual and that it was unfair to expect that person to decide on who should or should not be allowed to speak. Previous decisions on the use of discretion by the Chair had created conflict and controversy which could have been avoided.

Whilst appreciating there was concern that additional speakers could result in longer meetings some members considered that the impact was small, as most of the recent planning meetings had been concluded within an hour. It was also felt that consideration of the content of some of the planning agendas would enable better management of meetings.

Concern was also expressed over whether the first person to register to speak was the fairest option, as another speaker could have more relevant and appropriate information. A question was raised over what would happen should that one speaker not be able to attend the meeting, and whether officers would put them in contact with another speaker so resources could be pooled?

The Interim Democratic Services Manager clarified that the guidance notes highlighted the options that the Chair would consider in deciding to use their discretion to allow additional speakers. Should a significant number of requests to speak be received the Chair would be notified and would then decide based on that knowledge and the knowledge of the application.

Should an approved speaker not be able to attend, they could nominate someone else to attend the meeting on their behalf. Officers would not be involved in this process.

The committee considered Appendix B to the report and the Officer Scheme of Delegation which had been updated taking in any inconsistencies.

The committee discussed the option to reduce the quorum for Area Planning Committees from five to four members. Following discussion, it was agreed that it would be more appropriate for the quorum to remain at five and the proposal to reduce this to four was withdrawn.

Councillor Fedorowycz proposed an amendment, as follows:

‘That 2.3 (b) of the Procedure for speaking at planning committees be amended to allow ‘two third party speakers for and two third party speakers against the proposal. This amendment was seconded by Councillor Buckingham.

The amendment was put to the vote and declared lost with two votes in favour and three against.

The substantive motion was proposed by Councillor Watt and seconded by Councillor Mercer and on being put to the vote was declared carried with three votes in favour and two votes against.

Resolved to recommend to Council that:

- (i) The revised Planning Committee Public Participation Policy and Guidance for Chairs of Planning Committee, relating to the use of Chair’s discretion, as appended at Appendix A to the report, be approved;
- (ii) The revised Officer delegation scheme, as appended at Appendix B to the report, be approved.

16 Independent Review Panel - Review of Members' Allowances 2022 - To note

The annexed circulated report of the Director of Governance and HR/Monitoring Officer was received to inform the committee of the current consultation taking place in relation to the review of members’ Allowances Scheme.

The Interim Democratic Services Manager informed members of the review of the scheme for Members allowances which was currently underway. Members had been

notified of the review and were able to submit comments or make individual representation to the Independent Remuneration Panel (IRP) which was meeting on Friday 4 March 2022.

The IRP's remit was to review the level and application of allowances, taking into account quantitative data relating to the operation of the governance structure, qualitative information received from any representations received, along with information contained within the Council's Corporate Plan, adopted on 1 December 2021.

The committee welcomed the review and asked if Members could be reminded to make their representations either in writing or in person. Subjects that were raised included allowances for Vice-Chairs, allowances for the Deputy Leader of the Opposition, the review of daytime meetings and concern that some working Members used holiday entitlement to attend, and how this could be recompensed. The information provided in the quantitative data was also queried.

The Interim Democratic Services Manager clarified that the Deputy Leader of the largest opposition party did receive an allowance. With regard to the quantitative data he would revisit this and update where relevant for the IRP. He would remind Members about responding to democratic services with comments or to submit a request to speak to the IRP. He would also provide a link to the government website which gave advice on 'Time off work for public duties', which may be of help to working councillors.

Resolved that the Members' Allowances Consultation process, currently being undertaken, be noted.

17 Draft Municipal Timetable 2022/2023 - To note

The annexed circulated report of the Director of Governance & HR/Monitoring Officer was received to note the Municipal timetable for 2022/2023 and to make any comments prior to this being submitted to Council for approval.

The Interim Democratic Services Manager explained how the timetable had been drawn up, considering the reporting process and the need to keep meeting days as consistent as possible. Council meetings were shown as being in the daytime, but evenings had been kept free should this be reviewed.

The committee welcomed the timetable and the logical way it had been produced. A question was raised over when the review would take place of daytime Council meetings and the impact that it had on public participation and Member attendance.

The Director clarified that Council had agreed the time change of the meetings and would therefore have to review the decision after an appropriate period, when relevant data had been collected. She explained that this would probably be after the Council meeting in July. It was hoped that live streaming of Council meetings would be in place later in the year.

A Member mentioned that some meetings would potentially clash with parish council meetings.

The Interim Democratic Services Manager commented that the timetable would be available in good time for a parish council to check and possibly avoid a timetable clash, by rearranging its meeting. It had been ascertained that parish council meetings across North Northamptonshire were held on varying days and it was inevitable that on some occasions this would happen.

Resolved that the draft Municipal Timetable for 2022/2023 be noted

Chair

Date

The meeting closed at 8.50 pm