

EAST NORTHAMPTONSHIRE STANDARDS BOARD

Date: 27 June 2011

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30 pm

Present: Graham Blagden (Chairman)

East Northamptonshire Councillors: Barbara Jenney Brian Northall

Town and Parish Councillors: Don Campbell Prudence Goss
Sue North Arthur Whittaker

Independent Members: Graham Matthews

51. MINUTES

The minutes of the meeting held on 6 April 2011 were approved and signed by the chairman.

52. APOLOGIES FOR ABSENCE

Councillor Glenvil Greenwood-Smith, Ms Hilary Daniels and Ms Sharn Matthews (Monitoring Officer) sent their apologies.

53. DECLARATIONS OF INTEREST

Councillor Barbara Jenney declared a personal and prejudicial interest in the additional agenda item because she was one of the councillors requesting a dispensation. She left the room and did not take part in the discussion or voting on the item.

Councillor Brian Northall, Sue North and Prudence Goss declared a personal interest in the additional item as they knew some or all of the councillors.

54. REQUEST FOR DISPENSATION – TITCHMARSH PARISH COUNCIL

Secondary legislation made under the Local Government Act 2000 empowered the board to consider and, in certain specified circumstances grant, dispensations in respect of members of East Northamptonshire Council and the town and parish councils in East Northamptonshire.

The board considered a formal request for a dispensation from six named members of Titchmarsh Parish Council in respect of the Engine House, a building owned by the parish council, in accordance with the Relevant Authorities (Standards Committee) (Dispensation) Regulations 2002. The building was leased to Titchmarsh Village Shop Association and the rent for the lease of the shop was reviewed annually at the annual meeting of the parish council. The parish council consists of nine elected members. Six members of the parish council had declared an interest in this matter because they are shareholders of the shop

association, voluntarily offer their time to work in the shop, or are married to a member of the shop association. This met the 50% rule.

RESOLVED:

That the request for a dispensation in respect of Councillors Ian Teague, Ian Curtis, Sylvia Prestwich, Jackie Rowe, Bert Ash and John Greig of Titchmarsh Parish Council in matters relating to the Engine House and Village Shop Association, be granted for a period of four years or until the current standards regime no longer exists, whichever is sooner.

55. REQUEST FOR DISPENSATION – EAST NORTHAMPTONSHIRE COUNCIL

This had been added to the agenda as an urgent item in accordance with section 100(B)(4)(b) of the Local Government Act 1972 because the business for which the dispensation had been requested would be considered at meetings before the next Standards Board meeting.

The board considered a formal request for a dispensation from 22 named members of East Northamptonshire Council in respect of negotiations for the transfer of public toilets to the town councils, in accordance with the Relevant Authorities (Standards Committee) (Dispensation) Regulations 2002.

Discussions had been taking place since 2009 between East Northamptonshire Council and Oundle, Irthlingborough, Thrapston, Higham Ferrers, Rushden and Raunds Town Councils about the transfer of public toilets to their ownership and responsibility.

Funding to pay for the public toilets had only been agreed in the budget to cover the period up until 31 July 2011. In addition, no provision had been put into the 2011/12 capital budget to cover the one-off settlement payments of £15,900 offered to each town council as financial support towards the future maintenance liabilities of the public toilets. If the Policy and Resources Committee decided to fund the public toilets for an additional period whilst negotiations continued and wished to alter the budget to cover the settlement payments, a recommendation would be made to council (as the decision would be outside the budget framework). There would be a potential prejudicial interest as decisions might be made which would affect the finances of the town councils of which the 22 named councillors were also members.

Out of the 40 elected members, 22 members would have to declare an interest at a full council meeting. This met the 50% rule.

RESOLVED:

That the request for a dispensation in respect of Councillors Peter Baden, Tony Boto, John Farrar, Richard Gell, Marika Hillson, Marian Hollomon, Sylvia Hughes, Barbara Jenney, David Jenney, Richard Lewis, Andrew Mercer, Gill Mercer, Bob Nightingale, Steven North, Sarah Peacock, Ron Pinnock, David Read, Anna Sauntson, Robin Underwood, Peter Wathen, Clive Wood and Pam Whiting of East Northamptonshire Council in matters relating to negotiations for the transfer of public toilets to the town councils, be granted for the full council and Policy and Resources Committee for a period of one year or until the current standards regime no longer exists, whichever is sooner.

56. ACTIVITY REPORT OF THE MONITORING OFFICER

A report was received on ethical matters dealt with by the Monitoring Officer since the last meeting. It was noted that 6 enquiries had been recorded from parish and town council clerks and councillors, district councillors and the general public. There were 57 vacant town or parish council seats, some of which would be filled by co-option. New registers of interest were being completed for all newly elected and co-opted councillors and most had been received by the Monitoring Officer within the 28 day time limit. Action was being taken to chase the outstanding forms.

The board endorsed the view that there was no need to recruit a fourth independent member to fill the vacant seat given the cessation of the current standards arrangements when the Localism Bill is enacted.

No new complaints had been received since the last meeting.

Training for East Northamptonshire councillors on the constitution, legislation and current standards regime was given on the 22 June. Arrangements would be made to contact all members unable to attend on this day for catch-up sessions, particularly new councillors.

Two joint training sessions with NCALC had been organised for town and parish councillors. The sessions were aimed at new councillors although all were welcome to attend. The sessions covered 10 tips to survive as a town or parish councillor together with a brief introduction to the current code of conduct. The first session attracted 13 councillors from 6 town and parish councils. The second session would take place on 30 June with over 15 councillors expressing an intention to attend.

57. THE FUTURE OF ETHICAL GOVERNANCE AT EAST NORTHAMPTONSHIRE COUNCIL

The board received a report outlining the latest information available in relation to the standards aspects of the Localism Bill and considered the principles which should underpin how the proposed new legal duty to promote high standards of ethical governance is implemented in this council.

The chairman reported on a positive meeting with the Leader of the Council about two weeks previously, which the Monitoring Officer had also attended. There had been a wide ranging discussion on the future of ethical standards and the impact of the Localism Bill.

The board considered the information presented, and in noting the possible implications of the Localism Bill, the following issues were discussed:

- the likelihood of public expectation that councils adopt a code
- what code or arrangements would be introduced at town and parish council level
- whether one code should cover councillors at all levels of local government
- what role NCALC could have
- the value of an independent/impartial view
- approval of the removal of restrictions relating to predetermination
- how declarations of interest might be handled

The board agreed that the main issues that would need addressing as the detail of the bill became clear were:

Should the council have a body to consider ethical standards?

Should there be independent involvement?

How should the town and parish councils feature in the process?

The board felt strongly that the council should have a code of conduct, which should be simple (possibly based on the standards of public life with some minor adjustments), and a body with some independent representation that could implement the code and advise on ethical governance issues.

It was still highly premature to make any recommendations and, until the Localism Bill was published, it was agreed that there should be continued discussion of these issues with all relevant parties. The board suggested that in the future a meeting could be held between the district, town and parish councils to get local agreement on any future code or standards structure.

Chairman