

EAST NORTHAMPTONSHIRE STANDARDS BOARD

Date: 21 September 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: Prudence Goss Sue North
Arthur Whittaker

Independent Members: Hilary Daniels Graham Matthews

163. MINUTES

The minutes of the meeting held on 27 June 2011 were approved and signed by the chairman.

The Committee wished to record its thanks to Rachel Reeds for her excellent support of the Standards Board in the past few years and sent best wishes to her in her new job.

164. APOLOGIES FOR ABSENCE

Councillor Glenvil Greenwood-Smith and Keith Osborne (Deputy Monitoring Officer) sent their apologies.

165. DECLARATIONS OF INTEREST

Councillors Barbara Jenney and Brian Northall, Graham Blagden, Hilary Daniels, Graham Matthews, Sue North, Prudence Goss and Arthur Whittaker declared a personal interest in the item relating to the request for dispensation – Oundle Town Council, as they knew Councillor Don Campbell as a member of the Standards Board and Councillor Sue North declared a personal interest in relation to Councillor Gwen Radcliffe as she knew her.

Councillor Brian Northall declared a personal interest in the item relating to Chelveston-cum-Caldecott as he knew Councillor Glenn Harwood as a member of East Northamptonshire Council, and also in a personal capacity Councillor Jennifer Harwood and Councillor Patricia Mommersteeg.

166. REQUESTS FOR DISPENSATION

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.

Two requests had been received for consideration in accordance with the Relevant Authorities (Standards Committee) (Dispensation) Regulations 2002.

(a) Oundle Town Council

The board considered a formal request for a dispensation from all fourteen members of Oundle Town Council in respect of the Queen Victoria Hall Charitable Trust. All Oundle town councillors were trustees of the charity by virtue of their office. It was noted that the councillors had an equal personal interest in the charity and as trustees, they could have a personal financial liability in the unlikely event that the council as the local authority were to resolve at any time not to defray the cost of the upkeep of the hall.

The 50% rule was met.

RESOLVED:

That the request for a dispensation in respect of Councillors Don Campbell, David Chapple, Paul Davis, Paul Durman, Chris Elliott, Neil Fraser, David Fuller, George Higgins, Paul King, Neville Oakes, Mark Ormrod, Gwen Radcliffe, Philip Rose and June Round of Oundle Town Council in matters relating to Queen Victoria Hall Charitable Trust be granted for a period of four years or until the current standards regime no longer exists, whichever is sooner.

(b) Chelveston-cum Caldecott Parish Council

A request for a dispensation on behalf of five councillors of Chelveston-cum Caldecott Parish Council was considered in respect of the Education Foundation Charity that owned and ran the Village Hall. The charity had submitted a request for planning permission to carry out works to the hall and the application would come before the parish council in due course. Five of the seven parish councillors would have a prejudicial interest through their connection with the charity.

It was noted that, if a dispensation was not granted, members of the public would not be able to put forward any comments for the parish council to consider in respect of the planning application as the parish council would be in-quate and therefore unable to consider the matter. On the other hand it was noted that there was the potential of allegations of bias in any representation made by the parish council given the relationship of any number of Councillors to the charity. On balance the view was that the opportunity for local involvement was more important than the risk of allegations. However it was suggested that the parish council be asked to explain the position to the public when the matter was discussed.

The 50% rule was met.

RESOLVED:

(1) That the request for a dispensation in respect of Councillors Adrian Round, Martin Emerson, Glenn Harwood, Jennifer Harwood and Patricia Mommersteeg of Chelveston-cum Caldecott Parish Council in matters relating to the Education Foundation Charity be granted for discussions of the planning application by the Charity for a period of one year, or until the current standards regime no longer exists, whichever is sooner.

- (2) That the parish council be asked to explain its position to provide the greatest transparency on the matter and be advised that the dispensation has been granted in order to allow local debate.

167. 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 14 enquiries had been recorded from parish and town council clerks and councillors, district councillors and the general public, mainly seeking advice on personal and prejudicial interests. There were 39 vacant town or parish council seats. Register of Interests had been received from all district councillors and around 70% of town and parish councillors and in respect of the latter, the appropriate clerks had been contacted to remind councillors of the statutory need to complete the forms.

No new complaints had been received since the last meeting. One complaint requiring Monitoring Officer action had been taken further but the process was not yet completed. Public expectations of high standards of councillor behaviour and interest in the complaints process remained high.

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.

The second joint NCALC and ENC training session for new councillors had taken place on 14 July, attended by 34 councillors from 14 town and parish councils.

The Monitoring Officer reported that the ACSeS draft model code for councillors would probably be available in the next two months and would be circulated to board members for information when available.

The Monitoring Officer also updated the Board in relation to the tenor of debate in the last House of Lords discussion in relation to the Bill. It was noted that the government had agreed to hold further discussions with interested parties before the next reading of the Bill. It now appeared that the Localism Bill might not be enacted before April 2012.

The Chairman welcomed a possible move to require all councils to have a code of conduct for Councillors but regretted that it appeared that having a single national code was not yet being considered. The Monitoring Officer also reported that it appeared likely that some relationship would continue between Town/Parish Councils and the District Council as the Monitoring Officer would be responsible for the publishing of Parish Councillor declarable pecuniary interests.

It was suggested that a task group, drawn from this Board, to discuss and develop a possible code for East Northamptonshire would be quite useful to enable this council to be prepared in suitable time for any enactment of the Act.

The report was noted by the Board, who also

RESOLVED:

- (1) That a task group, consisting of Graham Blagden, Hilary Daniels, Councillor Sue North and Councillor Barbara Jenney, be set up to develop a possible simple short code of conduct and any related processes.

- (2) That this task group be convened as soon as more firm facts emerge, possibly before the next formal meeting of the Board.

168. LOCAL GOVERNMENT OMBUDSMAN ANNUAL REVIEW 2010/11

The board reviewed the Local Government Ombudsman's investigations into complaints against the council for the previous financial year, and compared the position with that of the previous period.

Committee noted with satisfaction that the trend of more satisfactory outcomes was continuing. The council had not had any case to answer in any of the four cases investigated.

It was noted that although the case involving a small housing development in Rushden had still not been resolved, the transfer of the land to enable an agreement to be entered into by the council and the county council was imminent, and works to bring the road and footways up to adoptable standard would then be started immediately.

The report was noted by the board.

Chairman