

# JOINT STANDARDS COMPLAINTS COMMITTEE

**Date:** 5 December 2012

**Venue:** East Northamptonshire House, Cedar Drive, Thrapston

**Time:** 7.30pm

**Present:** East Northamptonshire Councillors:

Pauline Bradberry JP  
Michael Finch  
David Jenney  
Andy Mercer

Gill Mercer  
Bob Nightingale  
Brian Northall

**Town and Parish Councillors:**

Fiona Cowan (Collyweston PC)  
John Greig (Titchmarsh PC)  
Roy Jakeman (Thrapston TC)

Derek Lawson (Higham Ferrers TC)  
Arthur Whittaker (Yarwell PC)

**Independent Person:**

Vivienne Barnard

## **297. APPOINTMENT OF CHAIRMAN FOR THE REMAINDER OF 2012/13**

Nominations were sought for the appointment of Chairman of the Committee for the remainder of the municipal year. Councillors Andy Mercer and Brian Northall were proposed and duly seconded. On being put to the vote, it was

### **RESOLVED:**

That Councillor Andy Mercer be appointed Chairman of the Committee for the remainder of the 2012/13 municipal year.

(The Chairman assumed the chair)

## **298. APPOINTMENT OF VICE-CHAIRMAN FOR THE REMAINDER OF THE YEAR 2012/13**

The Chairman sought nominations for the appointment of Vice-Chairman of the Committee for the remainder of the municipal year. It was noted that the Council's Constitution required the Vice-Chairman to be appointed from the Town and Parish Council representatives as the Chairman had been appointed from the East Northamptonshire Council members.

Councillor Mike Clements was proposed and Councillor Arthur Whittaker was proposed and duly seconded and it was

## **RESOLVED:**

That Councillor Arthur Whittaker be appointed Vice-Chairman of the Committee for the remainder of the 2012/13 municipal year.

### **299. MINUTES**

The minutes of the final meeting of the East Northamptonshire Standards Board held on 20 June 2012 were received and noted.

### **300. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mike Clements (Raunds Town Council) and Paul King (Oundle Town Council)

### **301. DECLARATIONS OF INTEREST AND QUESTIONS**

There were no declarations of interest and no questions had been received under procedure rule 10.3.

### **302. REQUESTS FOR DISPENSATIONS**

The Monitoring Officer reported that a Dispensation was currently under consideration for all East Northamptonshire Councillors in respect of the setting of the Council Tax for 2013/14. The Monitoring Officer would be able to grant such a Dispensation on the basis of ensuring a quorum. Parish Council Members had been advised to seek similar Dispensations in respect of the setting of their respective Parish Precepts.

### **303. ACTIVITY REPORT OF THE MONITORING OFFICER**

The Monitoring Officer submitted a report outlining recent activity and the implementation of the new standards framework, including a summary of the position relating to the completion of the Register of Disclosable Pecuniary Interests (DPI). There were currently 72 outstanding Register of Interest forms from Parish Councillors, details of which were reported to the Committee. It was also noted that some Parish Councils had "nil" returns for their Members. Whilst failure to disclose a DPI was potentially a criminal offence, there was no provision in legislation to prevent the Councillor concerned from remaining in office.

There were currently 8 Parish Councils where it had not been ascertained which Code of Conduct had been adopted by them. For those Parish Councils which had adopted the text of East Northamptonshire Council's Code, these Councils would be advised of any revisions made by ENC to its own Code, but Parish Councils were not obliged to adopt these revisions.

The Monitoring Officer confirmed that if DPI's were not disclosed, this could raise the possibility of any affected decision being judicially reviewed as there was the potential for bias as a result. However, any decision would not be brought into abeyance by breach of the Code of Conduct. It was the responsibility of individual Councillors to ensure that the information held and published in the Register was accurate and up to date.

In response to issues raised by Members, the Monitoring Officer undertook to investigate and report back as to whether the Chairmen of Parish Meetings needed to disclose DPI's and whether it was in compliance with legislation for the Council to keep records of the IP addresses of those who accessed a Councillor's Register of Interests on the Council's website.

**RESOLVED:**

- i) That the progress made in implementing the new Standards framework in Councils across the East Northamptonshire Area be noted
- ii) That the Monitoring Officer write to all local Councillors who have not yet returned their Register of Interests noting their failure to register Disclosable Pecuniary Interests and reminding them that this is a potential criminal act.

*(Reason: demonstration of the commitment to implement the duty to promote and maintain high standards of conduct)*

**Chairman**