

JOINT STANDARDS COMPLAINTS COMMITTEE

Date: 29 January 2014

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillor Andy Mercer (East Northamptonshire Council) (Chairman)
Councillor Arthur Whittaker (Yarwell Parish Council) (Vice-Chairman)

East Northamptonshire Councillors:

David Jenney
Gill Mercer
Bob Nightingale

Town and Parish Councillors:

David Coleman (Rushden Town Council)
Fiona Cowan (Collyweston Parish Council)
John Greig (Titchmarsh Parish Council)
Derek Lawson (Higham Ferrers Town Council)

Vivienne Barnard – Independent Person
Andrew Sortwell – Reserve Independent Person

340 MINUTES

The minutes of the meeting of the Joint Standards Complaints Committee held on 18 September 2013 were approved and signed by the Chairman.

341. APOLOGIES FOR ABSENCE

Apologies for absence were received from ENC Councillors Pauline Bradberry and Brian Northall and Town and Parish Councillor Mike Clements (Raunds Town Council).

342. DECLARATIONS OF INTEREST AND QUESTIONS

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

343. ACTIVITY REPORT OF THE MONITORING OFFICER

The Monitoring Officer submitted a report outlining activity in relation to the Standards Framework in the period from the last meeting of the Committee in September 2013 to date.

The Monitoring Officer reported that there were 19 outstanding registers of interest for Town and Parish Councillors, representing a 94% return rate. The Monitoring Officer was aware of 18 vacancies in Town and Parish Councils within the District.

Some progress had been made in respect of obtaining completed registrations of interest forms for Warmington Parish Council and there did not appear to be any specific reason for the lack of return of the remaining forms and the Clerk would pursue these with the relevant Members.

Five forms remained outstanding in respect of Twywell Parish Council and the Monitoring Officer informed the Committee that she intended to offer to visit the Parish Council in connection with the matter. The Clerk to Rushden Town Council, as well as the Town Mayor, would also pursue the completion of the outstanding forms relating to Rushden Town Councillors.

The Monitoring Officer confirmed that the Localism Act 2011 also required Parish Councils to publish their own Registers of Interest where the Parish Council operated its own website. Of the 24 Parish Councils within the East Northamptonshire district which did so, only 8 were found to be complying with this requirement, usually with a link to the ENC website. The Monitoring Officer had reminded the relevant Parish Councils of their statutory obligation and the position would be kept under review.

Since the last meeting of the Committee, 17 enquiries had been made with the Monitoring Officer or the Deputy Monitoring Officers, mostly in relation to the declaration of interests. No requests for dispensations had been received during this period.

Two new complaints had been received since the last meeting of the Committee. One of these had been resolved, together with an older complaint and one complaint had been appealed and an Appeal Panel Hearing would be held shortly.

Recent complaint activity had highlighted the lack of provision within the complaints procedure in one possible scenario. The procedure currently required the Monitoring Officer to consult with either the Chairman or Vice Chairman (depending on which tier of Councillor was involved) at various stages of the process. There was no explicit provision for when this person might have a conflict of interest in the complaint and the procedure would need to be amended to cover this circumstance. It was considered important by Members that the alternative person to be consulted should be drawn from the same tier as the councillor against whom the complaint had been received.

RESOLVED:

That the report be noted

R.11 RESOLVED TO RECOMMEND TO COUNCIL:

That the East Northamptonshire Council Complaints Procedure (Part 9 of the Constitution) be amended to include the following provision:

Where this procedure makes reference to consultation with the Chairman or Vice-Chairman of the Joint Standards Complaints Committee, the consultation will usually be with the Councillor who represents the same tier as the Councillor(s) complained against. Exceptionally, if this person is unavailable *or has a conflict of interest, another Councillor from the same tier on the Joint Standards Complaints Committee nominated by the Monitoring Officer will be consulted*

Chairman