



Democracy and Standards Committee

A meeting of the Democracy and Standards Committee will be held at the The Holding Room, Northampton, NN1 1DE on Thursday 15 June 2023 at 6.00 pm

Agenda

1.	Apologies for Absence and Notification of Substitute Members
2.	Declarations of Interest Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.
3.	Minutes (Pages 5 - 10) To confirm the Minutes of the meeting of the Committee held on 19 th April 2023.
4.	Chair's Announcements To receive communications from the Chair.
5.	Review of Member Complaints Procedure (Pages 11 - 18)
6.	Proposed amendments to the Constitution (Pages 19 - 22) To consider proposed amendments to the Constitution
7.	Register of Members' Interests (Pages 23 - 26) To provide an update regarding the operation of the Register of Members' Interests 2022/2023
8.	Councillor Development Programme 2023 -2025 - Progress report (Pages 27 - 30)

9.	<p>Annual Report of the Democracy and Standards Committee 2022/2023 (Pages 31 - 42)</p> <p>To consider the draft Annual Report of the Democracy and Standards Committee 2022/2023</p>
10.	<p>Review of Committee Work Programme (Pages 43 - 44)</p> <p>To review and note the Committee Work Programme.</p>
11.	<p>Urgent Business</p> <p>The Chairman to advise whether they have agreed to any items of urgent business being admitted to the agenda.</p>
12.	<p>Exclusion of Press and Public</p> <p>In respect of the following items the Chairman may move the resolution set out below, on the grounds that if the public were present it would be likely that exempt information (information regarded as private for the purposes of the Local Government Act 1972) would be disclosed to them: The Committee is requested to resolve: “That under Section 100A of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business on the grounds that if the public were present it would be likely that exempt information under Part 1 of Schedule 12A to the Act of the descriptions against each item would be disclosed to them”</p>

Catherine Whitehead
Proper Officer
7 June 2023

Democracy and Standards Committee Members:

Information about this Agenda

Apologies for Absence

Apologies for absence and the appointment of substitute Members should be notified to democraticservices@westnorthants.gov.uk prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item

Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare that fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Evacuation Procedure

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Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

If you have any queries about this agenda please contact Tracy Tiff / Marina Watkins, Democratic Services via the following:

Tel: 01604 837408 / 01327 302236

Email: democraticservices@westnorthants.gov.uk

Or by writing to:

West Northamptonshire Council
One Angel Square
Angel Street
Northampton
NN1 1ED

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Democracy and Standards Committee

Minutes of a meeting of the Democracy and Standards Committee held at Jeffery Room, The Guildhall, Northampton on Wednesday 19 April 2023 at 6.00 pm.

Present:

Councillor Suresh Patel (Chair)

Councillor Mike Warren
Councillor Daniel Cribbin
Councillor Danielle Stone
Councillor Jonathan Harris
Councillor Andrew Kilbride
Councillor Cecile Irving-Swift

Substitute Members:

Councillor Adam Brown
Councillor Nigel Hinch

Also Present:

Apologies for Absence:

Councillor Andrew Grant
Councillor Laura Stevenson

Officers:

Catherine Whitehead, Director of Legal and Democratic (Monitoring Officer)
Stuart Timmiss, Executive Director of Place
Stephanie Gibrat, Assistant Director of Planning
Paul Hanson, Head of Democratic and Elections
Tracy Tiff, Deputy Democratic Services Manager
Ed Bostock, Democratic Services Officer

75. **Declarations of Interest**

None advised.

76. **Minutes**

A typographical error was noted at paragraph 72; it should read 76 members rather than 75.

RESOLVED:

With the above correction, that the Minutes of the Democracy and Standards Committee held on 9th March 2023 be approved and signed as a correct record.

77. Chair's Announcements

The Chair proposed an amendment to recommendation e) of the report to increase the number of members on each Development Control Committee from 9 to 11.

The Democracy and Standards Committee agreed to the amendment.

78. Proposed amendments to the Constitution

The Director of Legal and Democratic presented the report which had been deferred in part from the previous meeting in March. Full Council had agreed that the number of area committees be reduced from 3 to 2, now shape and size of committees was still to be established.

The Executive Director – Place gave a presentation which focused on the governance arrangements of the 2 proposed planning committees

During the presentation, Members made comments and the following points were raised:

- There was concern raised around democracy and accessibility in terms of Northampton-based applications being determined outside of Northampton
- Remote access was vital to enable members of the public to participate – facilities were in place in Towcester and Northampton enabling remote access for speakers and officers if required.
- It was noted that the proposed change would be a trial, and that the findings of the trial period would be reported back to the Democracy and Standards Committee.
- Work was ongoing with town and parish councils to help them better understand and maximise their role in terms of planning.
- Where planning applications for the South committee were exclusively Northampton-based, those meeting should be held in Northampton rather than Towcester.
- LAPs (Local Area Partnerships) would be split up if the proposed ward splits were approved, however it was noted that these would be out of date in 2 years following the boundary changes.
- Historically it had been the case that applications were approved with seemingly little or no thought to the wider impacts, leading to the degradation of communities and decisions not in line with the Council's priorities.
- A single Local Plan for West Northamptonshire would be instrumental in providing a consistent and cohesive approach to planning across West Northamptonshire.
- Decision-making should be more robust and have regard to place-shaping.

Sally Pagano addressed the Committee and urged the Committee that where unprofessional working relationships were identified, residents would welcome a decision of replacement staff being appointed to rebuild residents' faith in the

planning process. Officers' hands appear to be tied in respect of HMOs. Regarding HMOs, the Council had powers under the Localism Act and the Housing and Planning Act 2006 to implement enhanced controls and act on local priorities but judging by the council's inaction on some matters, it seemed the case that the Council was not serving residents effectively. Councillors could not make sound decisions on applications in an area of which they had no knowledge; Ward Councillors attended residents' meetings and had local knowledge and had been elected by residents to speak on their behalf.

Lynette Marsden addressed the Committee and commented that the proposed changes were being pushed through with little thought how they would impact communities. She had been giving evidence to the HMO Working Group but noted that there was still no sign of the report. The needs for different areas varied between urban and rural areas. The proposed divide seemed to have been hastily drawn up and needed revisiting; it should be urban/rural split.

Councillor Smith addressed the Committee and stated that there was a strong argument for committees to be organised as urban and rural. She felt that consistent decision making was difficult to talk about when decisions being made differed in various areas. She was concerned about minor applications and asked for clarification around "exceptional circumstances" and that it should be subject to consultation. It was important that applications could still be called in on behalf of residents. The use of technology to allow for virtual representations could be a good opportunity for people to speak, but there must be a physical space available so that someone not comfortable with technology was not discriminated against, and an item should be deferred if failure of the council's technology meant that remote speakers were not able to speak. Improvement in relationships between planning officers and councillors was essential.

Consideration was given to the report, presentation, and public statements, with the following points raised:

- The definition of exceptional circumstances should be defined and agreed by the Planning Policy Committee so that it had member involvement; Members would like the recommendation amended. It was explained that minor and major applications were nationally defined, and it was also advised that the criteria for application call-ins was not being altered.
- Local members' rights would remain unchanged; they would still be able to attend planning committees, put forward their views and give insight into their local areas. District councillors had experience of differences between urban and rural areas.
- Strong HMO planning policies were needed; there was a general view in the town that many issues faced by residents (antisocial behaviour, parking and waste issues, etc.) were caused by the prevalence of HMOs.
- A question was asked around whether local town and parish councils had been made aware of the proposed split of the planning committees and given a chance to provide their comments or concerns.
- The Assistant Director – Planning would follow up with the HMO Working Group following the helpful contributions by the public speakers and ensure that its work was properly linked to the Local Plan progress.

- It was suggested that when a member application went to committee, the application was determined by the committee in which the applicant did not live.
- The Strategic Planning Committee resolved at its first meeting to move to 2pm start times and this had worked well; it was asked that this remains the same moving forwards.
- It was suggested that 10,000m² warehouse size be added to the list of criteria for applications going to Strategic Planning Committee, and reason 3 (strategically important developments as identified by the Assistant Director – Planning and following consultation with the Chair of the particular committee) to be re-added.
- Regard should be given to equalities issues when determining the timings of meetings; afternoon meetings, for example, would preclude some Members from sitting on committees.
- Some Members felt that officers did not support Members when a decision was made that was contrary to the officer recommendation.
- 2.8% of all applications received would go to the North Planning Committee and 3% would go to the South Planning Committee; this was higher than the Government's target of 2%.
- It was pointed out that the Constitution stated at what time committee meetings should start, and some Members were uncomfortable with meeting start times being determined by committee members.
- There should be a KPI for Member call-ins.
- Site visits were very useful and should be considered for the new planning committees.
- Regarding the 21-day consultation period on applications, it was advised that Members were within their rights to raise issues with officers on known contentious applications prior to, and then re-raise the issue formally during the consultation period; local Members were best placed to be aware of contentious issues within their wards.
- Officers expected and welcomed Member involvement throughout the planning process; additional issues and concerns could be considered.
- There was sometimes an issue around parish council consultation where an application may fall within a parish boundary but have implications for the wider area; in those instances an officer may use their discretion and it was felt by some Members that the wrong decision was sometimes made.
- The Monitoring Officer advised that a non-Planning Committee member should be able to give statements remotely in the same way as a member of the public.
- KPIs for the two Planning Committees would be determined by officers and the Chairs of those committees.
- It was agreed that the trial of the two Planning Committees take place for a period of 6 months.
- It was agreed that the first meetings of the Planning Committees would start at 6pm and be subject to change thereafter, determined by each committee Chair.

RESOLVED:

- 1) The Democracy and Standards Committee:
 - a) Noted the decision taken at the previous meeting to abolish the existing three Local Area Planning Committees and the establishment of two new Planning Committees;
 - b) That the Planning Committee – North be composed of eleven members and be constituted to deal with planning applications falling within the following wards: Braunston & Crick, Brixworth, Moulton, Long Buckby, Daventry West, Daventry East, Woodford & Weedon, Duston West & St Crispin, Duston East, Dallington Spencer, Abington & Phippsville, Kingsthorpe North, Kingsthorpe South, Boothville & Parklands, Headlands, Talavera and Billing & Rectory Farm;
 - c) That the Planning Committee – South be composed of eleven members and be constituted to deal with planning applications falling within the following wards: Bugbrooke, Towcester & Roade, Hackleton & Grange Park, Silverstone, Deanshanger, Middleton Cheney, Brackley, St George, Sixfields, East Hunsbury & Shelfleys, Delapre & Rushmere, Castle, Riverside Park and Nene Valley;
 - d) That the Planning Committee – North will meet in Northampton and the Planning Committee – South will meet in Towcester, except where the applications on the agenda were exclusively located within Northampton wards;
 - e) That meetings of both Planning Committees convene at 6pm, subject to the provisions of the Constitution;
 - f) That named substitutes be permitted but limited to 2 Conservative, 1 from each of the other groups, to be drawn exclusively from the other Planning Committee and/or the Strategic Planning Committee;
 - g) That the Assistant Director – Planning amends the threshold for applications to be determined by the Planning Committees
 - h) That the Assistant Director – Planning amends the threshold for applications to be determined by the Strategic Planning Committee;
 - i) That Section 17 of the Planning Protocol (Development Proposals submitted by Councillors and Officers) be amended to clarify that planning proposals submitted by Councillors should be determined by the Planning Committee that does not cover the ward the member represents.
 - j) Noted the retention of the Strategic Planning Committee and the Planning Policy Committee as currently structured.
 - k) Agreed that these changes come into effect immediately and will be reviewed by the Democracy and Standards Committee, in consultation with Planning Committee chairs after a period of six months.
 - l) Delegated to the Monitoring Officer the power to make these amendments and any consequential amendments that may be necessary.

79. **Urgent Business**

None advised.

The meeting closed at 7.55 pm

Chair: _____

Date: _____



WEST NORTHAMPTONSHIRE COUNCIL

Democracy and Standards Committee

15 June 2023

Report Title **Review of Member Complaints Procedure**

Report Author Catherine Whitehead
catherine.whitehead@westnorthants.gov.uk

Contributors/Checkers/Approvers

Monitoring Officer	Catherine Whitehead	
Chief Finance Officer (S.151)	Martin Henry	
Communications	Becky Hutson	

1. Purpose of Report

- 1.1 The purpose of this report is to review and consider possible changes to the Member Complaints Procedure to inform a revised draft to be presented to the next meeting.

2. Executive Summary

- 2.1 The recent Democracy and Standards Sub-Committee together with other issues raised by recent complaints has highlighted some issues with the current Member Complaints Procedure.
- 2.2 The procedure is based on one from a predecessor council and whilst it was brought up to date to reflect recent recommendations in relation to dealing with member conduct, recent use has highlighted issues with the procedure and suggests it is appropriate to review it and bring back a revised draft to the next meeting.
- 2.3 The purpose of this report is to seek members views on key issues before preparing the draft.

3. Recommendations

- 3.1 It is recommended that the Committee:
- a) Consider the issues highlighted by the report and discuss improvements.
 - b) Agrees to receive a revised draft of the procedure at its next meeting.

4. Reason for Recommendations

To ensure that the Council and Monitoring Officer considers complaint against members consistently, and in a way that supports sound decision making.

5. Report Background

- 5.1 As part of the preparation of the constitution the procedures of the predecessor councils were considered and the procedure that was adopted was based on the procedures of those councils.
- 5.2 Subsequent reviews of the Constitution have focused primarily on the Council Procedure Rules and necessary changes to the Scheme of Delegation to enable the council to conduct its business and adapt to national and local changes.
- 5.3 The procedure for handling complaints has not been applied fully until the recent complaint that went to the Democracy and Standards Hearing Sub Committee. That has highlighted a number of shortcomings with the procedure which suggest it should be reviewed to strengthen it in a number of ways.

The Procedure

- 5.4 When a complaint is received it is referred to the Deputy MO or member of the legal team to review and consider whether there is a case to answer they will consult the independent person who will provide a view usually via email;
- 5.5 Broadly the options available to the MO at this stage are:
 - i. There is evidence of a breach of the code of conduct which is of sufficient significance and in the circumstances, it is in the public interest to investigate the complaint.
 - ii. The complaint does not fall under the relevant Code of Conduct (either because the member was not carrying out their role as a member, or because the MO has no power to investigate)
 - iii. The evidence does not disclose a potential breach of the code of conduct.
 - iv. There is insufficient information to determine whether there is a potential breach.
 - v. It is not in the public interest to investigate.
- 5.6 Whilst the procedure for dealing with complaints set out in the constitution sets out the factors that the MO and IP will take into account when deciding whether to proceed it is set out as an advice to the complainant not as advice to the MO/IP. Paragraph 4.1 - 4.7 sets out the relevant matters but some of these seem to overlap and are not ordered to explain how the MO/IP will reach a decision. It doesn't set out clear criteria based on which the MO can communicate the reasons for their decision.
- 5.7 The MO/Deputy MO has received a number of challenges to our decisions not to investigate some of which have been referred to the ICO and the lack of criteria makes it more difficult to explain to complainants the reasons for deciding not to investigate a complaint.
- 5.8 This section of the Procedure could helpfully be reviewed to better support this process. Paragraph 4.7 States that the initial assessment will be held asap; that the complainant will be informed in writing and that the complainant will be kept informed.

- 5.9 It is apparent that there have been examples of a failure to follow this part of the procedure and some members have complained about not being kept informed and not being sent clear reasons in writing. To improve the process it is suggested that a standard decision record is added to the procedure with the benefit of the criteria this will make it easier for cases to be dealt with quickly for the MO to select the reasons for their decision and explain the rationale more easily and improve consistency.
- 5.10 Standard acknowledgement letters should be used in every case. The procedure should include a maximum period for response (similar to FOI and complaints) ie members will receive a response within 20 working days. If it is not possible to meet that deadline then correspondence will be sent explaining why it is not possible and what the new timeframe is.
- 5.11 Members must be informed that a complaint is made against them. This should also happen within a specified number of days eg 10 which is set out in the procedure and an update sent if for any reason this is not possible (although this is not likely to be the case).
- 5.12 There should be a standard letter to members in relation to this which explains the process to them and also offers them a named contact to talk to if they have concerns.
- 5.13 Members have raised concerns about the lack of support for members through the process. Because of the need for the MO to remain impartial between the complainant and the subject member it is helpful to have a third party (within Democratic Services) named as the member contact. This should be included within the procedure.
- 5.14 During the recent full investigation this was offered only at the point at which the matter was referred to hearing. It is suggested that this should take place much earlier in the process.

Conflicts of Interest.

- 5.15 The role of the MO and the deputy MO and the IP should all be set out in the procedure with a clear explanation of the situation in which there may be a conflict of interest.

Initial Enquiries

- 5.16 The deputy can make initial enquiries to determine if there is merit in a complaint. eg if there is a complaint that a member of the council said or did something at a council meeting it is not unreasonable to check whether the member was present at that meeting. If they were not it will save the time and expense of an investigation.
- 5.17 However, the scope of these enquiries should be explained in the procedure. There are some complainants who feel that their complaint was dismissed without proper enquiry. The MO is not obliged to find evidence of a potential breach if it is not apparent on the face of the complaint. It is up to the complainant to illustrate where there is something that warrants investigation not the MO. The initial inquiries are limited and that should be explained within the procedure with examples. Members have also complained that they are not able to put their case at this stage of the procedure. There is a misconception that an investigation is underway and the letter should clearly explain that initial enquiries may not require the

involvement of the subject member particularly if the MO feels that the complaint does not fall within the scope of the code of conduct.

- 5.18 The procedure should explain through the flowchart above the process that the MO will undertake and make it clear that initial enquiries do not amount to an investigation.

Confidentiality

- 5.19 When a complaint is made it can be very damaging to a member, particularly in the lead up to an election and the process can be misused as a result. Therefore complaints are not made public when they are received. The MO will keep a record of complaints and the action taken and the statistics are reported to the Democracy and Standards Committee but the detail of the members is not shared publicly.
- 5.20 If the case goes to a formal hearing then it is likely that the hearing will be held in public. There are limited circumstances in which a hearing will not be held in public. The current procedure doesn't deal with the publication and confidentiality and it is recommended that a section should be added to the procedure to deal with this.

Alternative Resolution

- 5.21 Since the Localism Act 2011 the powers available to Standards Committees to deal with complaints are limited. There are however other methods for resolving complaints including formal ADR. The procedure refers to the use of ADR but doesn't provide a mechanism or process for using ADR in appropriate cases. This makes it difficult for the MO to consider this option unless there is an agreement on both sides to an informal suggestion.

Criminal Matters

- 5.22 There are circumstances in which the MO should refer a complaint to the police for investigation because they have powers to deal with conduct which is a criminal offence. Since the changes to the regime some MO have been criticised for failing to refer criminal matters to the police. The procedure makes reference to criminal cases but doesn't explain the provisions in the legislation or support the MO/IP to exercise the relevant tests.

Investigation

- 5.23 Whether an internal or external investigator is used, the investigator should receive a formal letter setting out their obligations and explaining the Council's procedure for investigation and the expectations in relation to the procedure. In particular the collection of witness statements and the notification to witnesses of the need to attend a hearing. There are also no time frames in relation to the conduct of the investigation set out in the procedure and it is recommended that the procedure is redrafted to ensure that complaints are given fixed time frames and extensions to investigation should be specifically sought from eg the MO and chair of Democracy and Standards Committee.

- 5.24 The letter to an external investigator should also include the terms of their contract including payments for attendance at hearings and preparation and publication of the evidence and reports. Standard letters should be prepared for this purpose.

Hearing

- 5.25 If an investigation concludes that there is a case to answer the MO in consultation with the IP will decide whether the case should be referred to a hearing.
- 5.26 If that is the case the procedure for the period leading up to a hearing should be clearly set out including details about the publication of the investigating officers report and evidence. The information to be provided by the member and the IO, details of the witnesses and any additional evidence. The Hearing Sub Committee should hold a pre-meeting to agree the timetable for the hearing and establish the process for the sharing of evidence. This will help to smooth and agree the process for preparing for the hearing and help the member to feel that they have an opportunity to have any concerns considered at a preliminary stage.
- 5.27 A formal hearing procedure should be drawn up and published with the agenda for the meeting and for members of the public to know that they can attend observe and the process that will be followed. A sample hearing process will be included as part of the procedure – subject to any changes by the hearing panel in the particular case.

Decision

- 5.28 A standard decision record will be used to support the panel's decision making and record the decision on the day. This decision record will then be signed and agreed by the panel members on the night and be published the following day.
- 5.29 The decision record will be shared with the member, the complainant and the IO and the appeal period will run from the date of the decision is shared with the member.
- 5.30 The procedure for the decision record will be included within the procedure as a separate checklist to ensure that it is provided to the relevant people and that it is prepared and delivered in a timely way.
- 5.31 Whilst the procedure currently provides for this it states that the decision record will not be made public for 20 days after the hearing until the opportunity for appeal is provided. It is not practicable to withhold a record of the decision, which is a matter of interest to the press and public for 20 days. The record should be published immediately with a note to make it clear it is subject to appeal.

5.32 Independent Persons

- 5.33 The procedure currently deals with the number and nature of the IPs but doesn't clearly set out their role. This is particularly the case in relation to the hearing panel. Whilst the IP was consulted in relation to the decision it should be clearly prescribed how this is done and what the role of the IP is at the decision making panel.

Conclusion

- 5.34 This report has highlighted some of the issues with the current procedure but has not considered all matters including the appeal and review process
- 5.35 It is recommended that the members of the panel and other members offer views in relation to matters which should be considered as part of the review and whether the proposed changes above should be incorporated into a revised document to be presented to the next meeting of the committee.

6.0 Issues and Choices

6.1 The issues and choices are set out in detail above.

7.0 Implications (including financial implications)

7.1 Resources and Financial

- 7.1.1 There are no financial implications arising directly as a result of the conducting a review of the procedure.

7.2 Legal

- 7.2.1 Every local authority is required to have a Code of Conduct in relation to members and to deal with complaint in relation to members in relation to that code and the code of the parishes within its area.
- 7.2.2 The Member Complaints procedure is required to take into account common law and other statute in relation to the complaints procedure including the right to access to information and the provisions relating to a fair hearing in the Human Rights Act 1998.

7.3 Risk

- 7.3.1 There are no significant risks arising from this report. Reviewing the procedure helps to reduce any risks that could arise as a result of not dealing with complaints fairly and lawfully and helps to manage complaints in relation to the determination process.

7.4 Consultation

- 7.4.1 Consultation will be undertaken with this committee prior to recommendations being submitted to Council. Consultation could also take place with one or more independent person specifically in relation to their role.

7.5 Consideration by Overview and Scrutiny

- 7.5.1 Not applicable to this report.

7.6 Climate Impact

7.6.1 There is no climate impact to consider in relation to the recommendation.

7.7 Community Impact

7.7.1 None specific.

8.0 Background Papers

8.1 None

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WEST NORTHAMPTONSHIRE COUNCIL

Democracy and Standards Committee 15 June 2023

Report Title	Updates to the Constitution
Report Author	Catherine Whitehead catherine.whitehead@westnorthants.gov.uk

Contributors/Checkers/Approvers

Monitoring Officer	Catherine Whitehead	
Chief Finance Officer (S.151)	Martin Henry	
Communications	Becky Hutson	

List of Appendices

Appendix A – Draft revised Constitution (available on request from democraticservices@westnorthants.gov.uk)

1. Purpose of Report

- 1.1 The purpose of this report is to provide an update to the Democracy & Standards Committee on a number of proposed updates to the Constitution and request that the committee recommend the revisions to Council for adoption.

2. Executive Summary

- 2.1 The Constitution for West Northamptonshire Council was formally adopted by the West Northamptonshire Shadow Authority prior to vesting day (1 April 2021). A major review of the Constitution was then undertaken by the Democracy and Standards Committee in the autumn of 2021, reporting to Council in December 2021. Since that time, the Democracy and Standards Committee has considered several suggested changes to the Constitution and has made recommendations to Council accordingly.
- 2.2 Further suggested amendments are summarised in section 5 below. These changes have generally been made to address issues that have been identified with the operation of the Constitution or to ensure the Constitution is up-to-date, for example by reflecting changes to legislation or statutory guidance.

3. Recommendations

- 3.1 It is recommended that the Committee:
- a) Note and approves the updates to the Constitution as set out in Section 5; and
 - b) Recommends the updates to Council for approval.

4. Reason for Recommendations

Keeping the Constitution under regular review will help ensure that it is legally compliant, complete, reflects the character and culture of the authority and supports effective and efficient decision making.

5. Report Background

Authority to Consult

- 5.1 The Constitution provides for members of the Cabinet to be consulted on whether decisions that are ordinarily taken by officers should be referred to Cabinet.
- 5.2 Where consultations are undertaken by the Council, they are generally considered to be part of the preparatory work that may lead to a formal decision once the outcome of the consultation has been taken into account. Formal approval to commence consultation is not always necessary, save for some exceptions such as consultation on Policy Framework items, which requires approval by the Cabinet.
- 5.3 Nevertheless, it is recognised that consultation on an issue can attract considerable public interest. Proper consideration of the implications of launching a consultation should therefore be taken into account prior to commencement. It is proposed to make the following change to the Constitution:

Section 9 (Officers), 9.2 (Scheme of Delegation to Officers), Paragraph 4:

1. Portfolio holders for the relevant area should be consulted on the exercise of a delegated power in all cases where:
 - (a) there is likely to be opposition from members of the public;
 - (b) where there are political sensitivities;
 - (c) there is likely to be media (including social media) interest; ~~or~~
 - (d) expenditure is unusual for the Budget area;
 - (e) a consultation concerning a decision that is likely to result in any of the criteria set out in (a) to (d) above being met is planned.**
2. Before exercising any delegated power, officers must consider whether to consult with the relevant portfolio holder on the exercise of delegated powers or not to exercise delegated powers but to refer the matter to the relevant member or member body to decide.

6. Issues and Choices

6.1 The issues and choices insofar as they relate to the operation of the Constitution are set out in section 5 above.

7. Implications (including financial implications)

7.1 Resources and Financial

7.1.1 There are no financial implications arising directly as a result of the Constitution review process.

7.2 Legal

7.2.1 Every local authority is under a legal duty to prepare and keep up to date its Constitution (see Appendix B). In particular, section 9P of the Local Government Act 2000 requires the Constitution to contain:

- a) a copy of the authority's standing orders;
- b) a copy of the authority's code of conduct;
- c) such information as the Secretary of State may direct; and
- d) such other information (if any) as the authority considers appropriate.

7.2.2 Regular review of the Constitution helps to ensure these legal requirements are met. The amendment set out above will assist in ensuring the Council is able to operate in a lawful manner.

7.3 Risk

7.3.1 There are no significant risks arising from this report. Reviewing the Constitution helps to reduce any risks that could arise as a result of the Constitution not properly supporting decision making and delivery of Council services.

7.4 Consultation

7.4.1 Consultation will be undertaken with this committee prior to recommendations being submitted to Council.

7.5 Consideration by Overview and Scrutiny

7.5.1 Not applicable to this report.

7.6 Climate Impact

7.6.1 There is no climate impact to consider in relation to the recommendation.

7.7 Community Impact

7.7.1 None specific.

8. Background Papers

8.1 None



WEST NORTHAMPTONSHIRE COUNCIL

DEMOCRACY AND STANDARDS COMMITTEE

15 JUNE 2023

Report Title	REGISTER OF MEMBERS' INTERESTS
Report Author	Tracy Tiff, Deputy Democratic Services Manager, tracy.tiff@westnorthants.gov.uk

Contributors/Checkers/Approvers		
MO	Catherine Whitehead	
S151	Martin Henry	
Communications Lead/Head of Communications	Becky Hutson	

List of Appendices

None.

1. Purpose of Report

- 1.1 The report provides details of the operation of the Register of Members' interests 2022/2023 for the Committee's information.

2. Executive Summary

- 2.1 The West Northamptonshire Council (WNC) Constitution specifies that one of the roles of the Democracy and Standards Committee is to *oversee and develop the Council's Code of Conduct and the overall standards of conduct for Council Members, co-opted Members and Parish and Town Councillors of West Northamptonshire.*
- 2.2 The Work Programme of the Democracy and Standards Committee (the Committee) states that a report will be presented to the June 2023 meeting of the Committee on the operation of the Register of Members' Interests. This is therefore an opportunity for the Committee to be appraised of the operation of the Register of Members' Interests.

3. Recommendations

3.1 It is recommended that the Democracy and Standards Committee:

- a) Notes the process that is followed for the operation of the Register of Members' Interests.

3.2 Reason for Recommendations

3.2.1 The recommendation is intended to enable the Committee to be appraised of the operation of the Register of Members' Interests and thereby enable it to carry out its Standards responsibilities effectively.

3.2.2 The Work Programme of the Committee states that a report shall be presented to the June 2023 meeting of the Committee for consideration.

4. Report Background

4.1 As detailed in paragraph 2.1 above, *"The Standards responsibilities of the Committee are to oversee and develop the Council's Code of Conduct and the overall standards of conduct for Council Members, co-opted Members, and Parish and Town Councillors of West Northamptonshire."* Therefore, information relation to the operation of the Register of the Members' Interests will be provided to inform this role of the Committee.

Operation of Member's Register of Interests

4.2 Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority. Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer.

4.3 As reported to the June 2022 meeting of this Committee, upon election in May 2021 each Councillor was provided with a Welcome Pack that contained a number of documents, one of which was the Register of Interest form that Councillors were asked to complete and return to the Monitoring Officer within 28 days of being elected. The Register of Interest form contains guidance notes to assist Councillors in completing the form.

4.4 An initial training session for all Councillors was delivered by the Monitoring Officer in May 2021, the content of which included information and guidance around the completion of Register of Interests; a further training session took place in June 2023. The purpose of these important training sessions is to ensure Members are aware of their obligations to complete the Register of Interest forms (the forms) and what should be include within each section of the form.

4.5 The administration of the forms is managed by Democratic Services. As soon as new and updated forms are received from Councillors, the content is added to the Committee

Management System and documented under the relevant Councillor. A paper Register is also kept in the office and is available should a member of the public request to view this.

- 4.6 On a regular basis, the Monitoring Officer issues a reminder to all Councillors regarding the completion of their Register of Interest forms and highlights the guidance notes for each section. From this, Councillors may update their forms accordingly. In addition, if it is brought to the attention of the Monitoring Officer that there could be an omission on the form of a Councillor, contact is made with that Councillor to discuss their form and to ascertain whether it requires updating. Ultimately, however, it is the responsibility of Councillors rather than officers to complete the Register entries correctly.

Parish Councillors

- 4.7 West Northamptonshire Council keeps a log of the Register of Interest forms of Parish Councillors within West Northamptonshire and electronic details are published to the website of WNC.

4. Issues and Choices

- 4.1. Members are asked to note the information provided in respect of the operation of the Register of Interests.

5. Implications (including financial implications)

5.1 Resources and Financial

- 5.1.1 There are no immediate financial implications arising from the proposals.
- 5.1.2 There are no direct manpower implications arising from this report, however, the Committee will be aware that the handling and processing of the Register of Interests is resource intensive.

5.2 Legal

- 5.2.1 Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority. Within 28 days of becoming a Member or the re-election or re-appointment to office, the Councillor must register with the Monitoring Officer.
- 5.2.2 Councillors must ensure that their Register of Interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.

5.2.3 Failure to appropriately declare and act on prejudicial interests would mean that the Councillors has not complied with the Code of Conduct and may have committed a criminal offence. It may also leave a Council decision in which the Councillor has participated in open to legal challenge.

5.2.4 Failure to declare and register significant personal interests could mean that the Councillor has not complied with the Council's Code of Conduct

5.3 Risk

5.3.1 None specifically from this report as the report is detailing the operation of Register of Interests.

5.4 Communication and Consultation

5.4.1 This is an update report for the Committee's information and is therefore not appropriate for wider consultation.

5.5 Consideration by Overview and Scrutiny

5.5.1 This is an update report for the Committee's information, and it is therefore not appropriate to be referred to Overview and Scrutiny.

5.6 Climate Impact

5.6.1 There are no immediate climate implications arising from this report.

5.7 Community Impact

5.7.1 There are no immediate community implications arising from this report.

6 Background Papers

The Register of Members' Interests
Training log and reminders to all Councillors

WEST NORTHAMPTONSHIRE COUNCIL
DEMOCRACY AND STANDARDS COMMITTEE

15 June 2023

Report Title	Councillor Development Programme 2023 -2025 – Progress report
Report Author	Tracy Tiff, Deputy Democratic Services Manager, tracy.tiff@westnorthants.gov.uk

Contributors/Checkers/Approvers	
Monitoring Officer	Catherine Whitehead
S151 Officer	Martin Henry

List of Appendices

None

1. Purpose of Report

- 1.1 This report provides a progress report on Councillor Development programme for the Democracy and Standards Committee's (the Committee) information.

2. Executive Summary

- 2.1 As reported to the March 2023 meeting, the Member Development programme for 2023/2024 will concentrate mainly on training for Planning Members and training for Overview and Scrutiny.
- 2.2 It was agreed at the meeting held in March 2023 that the sessions for Overview and Scrutiny and Planning could include:

Overview and Scrutiny

- Understand scrutiny including its role, principles, and value
 - Chairing skills
 - Questioning skills
 - Budget Scrutiny and finance scrutiny
 - Performance, finance, and risk
 - Work programming

Planning

- Chairing skills
- Sound decision making

- Planning process and Code of Practice
- Dealing with a planning application
- Enforcement
- Consultation and Scheme of Delegation

3. Recommendations

3.1 It is recommended that the Democracy and Standards Committee:

- a) Notes the further progress undertaken on developing a Councillor Training Programme for 2023/24.
- b) Considers other potential opportunities to deliver and promote learning and development opportunities for Councillors.

3.2 *Reasons for Recommendations*

3.2.1 The recommendations are intended to:

- a) Enable the Committee to receive a progress report regarding the Councillor development programme and provide Councillors with an opportunity to suggest further training requirements that they feel are required.
- b) Enable the Committee to consider the various opportunities available to promote learning and development for Councillors.

4. Report Background

Councillor Development

4.1 The Standards responsibilities of the Committee includes advising, training, or arranging training for Councillors and co-opted Members of the Council, Parish and Town Councils on matters relating to the Councillor Code of Conduct and the Planning Code of Conduct. Councillor training is a wider issue and particularly for a new Council it is important that there is oversight of the Councillor training programme to ensure that Councillors have the skills they need to support effective decision making.

4.2 Councillor development is training and development opportunities, activities and programmes that are offered to elected Councillors by West Northamptonshire Council which support Councillors to carry out their roles effectively.

4.3 As reported to the meeting of the Committee that took place in March 2023 questionnaires have been issued to all Councillors regarding suggestions for their training requirements, a further questionnaire was issued to Committee Chairs regarding the potential requirements of training for their Committees and to Group Leaders regarding potential training needs for their Groups.

4.4 The results of the completed questionnaires have been analysed, along with the review into Overview and Scrutiny which has been carried out by the Centre for Governance and Scrutiny (CfGS) and the review of the Planning Service by the Planning Advisory Service (PAS). This information assisted in informing and developing the Councillor Development programme 2023-24 in respect of Planning training and Overview and Scrutiny training. The programme for 2023-

24 will concentrate primarily on a suite of development sessions in relation to both Overview and Scrutiny and Planning.

- 4.5 Mandatory training for Members and substitute Members of the Planning Committees has been scheduled for 6 June 2023 and will be delivered by senior internal officers together with a highly recommended external training provider. The training will be delivered face to face at the Offices at the Guildhall. Officers will deliver a repeat session to those Members who are unable to attend on 6 June 2023.
- 4.6 Contact has been made with the Deputy Chief Executive of the Centre for Governance and Scrutiny regarding a suite of training for Overview and Scrutiny to be delivered from late summer/early autumn onwards. The training will include sessions such as:

Overview and Scrutiny

- Understand scrutiny including its role, principles, and value
- Chairing skills
- Questioning skills
- Budget Scrutiny and finance scrutiny
- Performance, finance and risk
- Work programming

5 Issues and Choices

- 5.1 The Committee is asked to note the progress report on the structured four-year Councillor Development programme starting with 2023 - 2025 (year 3 - 4) and provide further comment.

6 Implications (including financial implications)

6.1 Resources and Financial

- 6.1.1 There are no immediate financial implications arising from the initial proposals in developing a structured Councillor development programme. However, when the development sessions are scheduled, it is expected that external training providers may be sourced to deliver some of the training. There would be a cost implication to this externally delivered training but there is budgetary provision available in the Councillor development budget. The mandatory training for Planning Committee Members will be co delivered by senior internal officers and an external training provider.
- 6.1.2 There is a resource implication upon the Officers delivering the mandatory Planning Committee Member training.

7.1 Legal

- 7.1.1 The Democracy and Standards Committee and the wider Council have a duty to ensure that Councillors are supported in carrying out their roles effectively. This includes providing training. One of key roles undertaken by Councillors is decision making and particularly quasi-judicial decision making where there is a requirement to adhere to specific rules in the way in which decisions are made. Failure to adhere to these rules can jeopardise the decision making of the Council and result in legal challenges. In addition, the Council is under a duty to promote and maintain high standards of conduct which all councillors must uphold in performing their duties.

7.1.2 A structured training and development programme for newly elected Councillors and continuing training for all Councillors throughout their term of office will equip them with essential knowledge and skills to perform their roles effectively.

7.2 Risk

7.2.1 There are risks if Councillors do not have the training they need to carry out their roles effectively.

7.2.2 The training for Members of the Planning Committees is mandatory and Officer will deliver a repeat session to any Councillors that are unable to attend on 6 June 2023.

7.3 Consultation

7.3.1 All Planning Committee Members have been advised of details of the mandatory training that is scheduled for 6 June 2023.

7.3.2 All Councillors have been provided with a questionnaire regarding a structured Councillor Development programme, the results of which are being analysed.

7.4 Consideration by Overview and Scrutiny

7.4.1 The Triangulation Group, that comprises Cabinet Members and the Chairs and Vice Chairs of the Overview and Scrutiny Committee, which held its inaugural meeting on 21 May 2023 was consulted upon the content on the development sessions specific to Overview and Scrutiny.

7.5 Climate Impact

7.5.1 There are no immediate climate implications arising from this report.

7.6 Community Impact

7.6.1 There are no immediate community implications arising from this report.

7.7 Background Papers

Members' induction programme 2021/2022

Democracy and Standards Committee - agenda and minutes - 27 January 2022, 28 July 2022, 12 January 2023 and 9 March 2023

Report following the review of Overview and Scrutiny by the Centre for Governance and Scrutiny (CfGS)

Report following the review of Planning by the Planning Advisory Service (PAS)



WEST NORTHAMPTONSHIRE COUNCIL
DEMOCRACY AND STANDARDS COMMITTEE

15 June 2023

Report Title	Draft Annual Report 2022/2023 of the Democracy and Standards Committee
Report Author	Tracy Tiff, Deputy Democratic Services Manager, tracy.tiff@westnorthants.gov.uk 01604 837408

Contributors/Checkers/Approvers		
MO	Catherine Whitehead	
S151	Martin Henry	

List of Appendices

Appendix A – Draft Annual Report 2022/2023 of the Democracy and Standards Committee

1. Purpose of Report

- 1.1 The purpose of this report is to consider the draft Annual Report of the Democracy and Standards Committee (the Committee) for 2022/2023 that notes the work undertaken by the Committee over its first year.
- 1.2 It is detailed on the annual work programme for the year that the Annual Report 2022/2023 is considered by the Committee at its June 2023 meeting. It will then be presented to full Council for information.

2. Executive Summary

- 2.1 The purpose of this report is for the Committee to consider and agree its Annual Report 2022/2023 for presentation to full Council.

3. Recommendations

3.1 The Democracy and Standards Committee is recommended to:

- a) To consider and approve the proposed Annual Report 2022/2023 making any changes that the Committee considers appropriate for submission to full Council.

3.2 *Reasons for Recommendations*

3.2.1 To highlight the work carried out by the committee in fulfilling its statutory duty to promote and maintain high standards of ethical conduct.

3.2.2 To highlight the work carried out by the Committee in relation to Member Development and Democracy.

3.2.3 At its meeting in January 2023 the Committee approved its work programme for 2022/23. The Work Programme states that an Annual Report of the Committee will be considered by the Committee at the meeting on 15 June 2023.

4 Report Background

4.1 The Committee has a number of key responsibilities set out below and it is important that the work of the Committee is planned to enable it to meet those responsibilities and ensure that the work of the committee is appropriate. The Annual Report details how the Committee has met these responsibilities.

Key Responsibilities

4.2 The terms of reference of the Democracy and Standards Committee are set out in Part 4 Committees in the Council's Constitution. They are as follows:

- (a) to have overall responsibility for the Council's Constitution and decision making governance
- (b) to make necessary decisions in relation to Elections and to have responsibility for the Community Governance and Boundary Reviews on behalf of the Council
- (c) To oversee and develop the Council's Code of Conduct and overall standards of conduct for Council Members, co-opted Members and Parish and Town Councillors of West Northamptonshire

In relation to Democratic Functions of the Committee:

- (a) Reviewing the Council's Constitution and decision-making governance, i.e., the guidance and documents that support decision making, e.g., the Forward Plan guidance and the rules on officer records, and recommending any proposed changes to the Council;

- (b) Conducting polling station reviews and other election functions which it is necessary for the Council to decide (but not the functions delegated directly by statute to the Returning Officer and Electoral Registration Officer);
- (c) Preparing submissions on behalf of the Council to the Local Government Boundary Commission for England in relation to the governance of the area;
- (d) Preparing submissions on behalf of the Council to the Parliamentary Boundary Commission for England.

In relation to the Standards functions of the Committee:

- (a) Promoting and maintaining high standards of conduct by Members and co-opted Members of the Council, Parish and Town Councils;
- (b) Keeping the Member Code of Conduct and, where appropriate, the Planning Code of Conduct under review and make recommendations to Council on any amendment or revisions to the Codes;
- (c) Advising, training or arranging training for Members and co-opted Members of the Council, Parish and Town Councils on matters relating to the Member Code of Conduct and the Planning Code of Conduct;
- (d) Giving general guidance and advice to Members and Co-opted Members of the Council, Parish and Town Councils on Member's interests and keeping under review the Registers of Members' Interests maintained by the Monitoring Officer and the Register of Gifts and Hospitality;
- (e) Granting dispensations to Members and co-opted Members from requirements relating to interests;
- (f) Keeping the Council's arrangements for dealing with standards complaints under review and making recommendations to Council on any amendment or revisions to the arrangements;
- (g) Assessing and/or referring for investigation allegations of misconduct on the part of Members and co-opted Members of the Council, Parish and Town Councils, if so requested by the Monitoring Officer;
- (h) Determining allegations of misconduct on the part of Members and co-opted Members of the Council, Parish and Town Councils;
- (i) To be a consultee in relation to the Council's Officer Code of Conduct;
- (j) Making recommendations to Council with regard to the appointment of Independent Persons;
- (k) Overseeing the Council's Protocol on Member/Officer Relations and making recommendations to Council on any amendment or revisions to the protocol;
- (l) Receiving an annual report from the Monitoring Officer detailing complaints received, complaints dealt with and resolutions achieved;

(m) Exercising all the Council's functions, as specified in Regulation 2 of the Local Authority (Functions and Responsibility) (England) Regulations 2000 insofar as such functions are not the responsibility of the Cabinet, Council or any other committee of the Council.

4.3.2 It is good practice for a standards committee to report to Council on the way in which it has carried out its duties each year to allow the wider membership to comment or make suggestions to the Committee.

4.3.3 Members are invited to consider the draft Annual Report 2022/2023 and suggest any changes or additional matters for consideration.

5 Issues and Choices

5.1 Members are asked to review the draft Annual Report 2022/2023 and suggest any changes or additional matters for consideration.

6 Implications (including financial implications)

6.1 Resources and Financial

6.1.1 There are no immediate financial implications arising from the proposals.

6.1.2 There are no direct manpower implications arising from this report.

6.2 Legal

6.2.1 The Council has a legal responsibility under the Localism Act in relation to standards of conduct it also has a duty to respond to complaints made against councillors of allegations of a breach of the Code of Conduct; a responsibility to maintain a constitution and to conduct boundary and other reviews as required. The Council has delegated core responsibility for these matters to the Committee.

6.3 Risk

6.3.1 There are none specifically.

6.4 Consultation

6.4.1 The Committee is being consulted on the draft Annual Report 2022/2023.

6.5 Consideration by Overview and Scrutiny

6.5.1 The Standards Committee is a Committee carrying out non-executive functions which are the remit of full Council. The Annual Report is designed to consult the wider membership of the Council on the way that the Committee carries out the Council's statutory functions

6.6 Climate Impact

6.6.1 There are no immediate climate change implications arising from this report.

6.7 Community Impact

6.7.1 There are no immediate climate change implications arising from this report.

7 Background Papers

Meetings of the Democracy and Standards Committee from June 2022 to May 2023

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**West
Northamptonshire
Council**

Democracy and Standards Committee

Annual Report 2022/2023

Message from Councillor Suresh Patel, Chair, Standards Committee **Draft Version 1**

This is the second Annual Report of the Democracy and Standards Committee of West Northamptonshire Council.

It has been another very busy year for the Democracy and Standards Committee. Instead of a complete commentary of all that the Committee has achieved over the year this Annual Report provides a summary of the main points of the work of the Committee during 2022/2023.

The Democracy and Standards Committee (the Committee) promotes and maintains high standards of conduct.

The work of the Committee includes:

- Having an overall responsibility for the Council's Constitution and decision-making governance
- Making necessary decisions in relation to Elections and having responsibility for the Community Governance and Boundary Reviews on behalf of the Council
- Overseeing and developing the Council's Code of Conduct and overall standards of conduct for Council Members, co-opted Members and Parish and Town Councillors of West Northamptonshire
- Reviewing the Council's Constitution and decision-making governance, i.e., the guidance and documents that support decision making, e.g., the Forward Plan guidance and the rules on officer records, and recommending any proposed changes to the Council
- Conducting polling station reviews and other election functions which it is necessary for the Council to decide (but not the functions delegated directly by statute to the Returning Officer and Electoral Registration Officer)
- Preparing submissions on behalf of the Council to the Local Government Boundary Commission for England in relation to the governance of the area
- Preparing submissions on behalf of the Council to the Parliamentary Boundary Commission for England. Promoting and maintaining high standards of conduct by Members and co-opted Members of the Council, Parish, and Town Councils
- Keeping the Member Code of Conduct and, where appropriate, the Planning Code of Conduct under review and make recommendations to Council on any amendment or revisions to the Codes
- Advising, training, or arranging training for Members and co-opted Members of the Council, Parish and Town Councils on matters relating to the Member Code of Conduct and the Planning Code of Conduct
- Giving general guidance and advice to Members and Co-opted Members of the Council, Parish and Town Councils on Member's interests and keeping under review the Registers of Members' Interests maintained by the Monitoring Officer and the Register of Gifts and Hospitality
- Granting dispensations to Members and co-opted Members from requirements relating to interests
- Keeping the Council's arrangements for dealing with standards complaints under review and making recommendations to Council on any amendment or revisions to the arrangements
- Assessing and/or referring for investigation allegations of misconduct on the part of Members and co-opted Members of the Council, Parish, and Town Councils, if so, requested by the Monitoring Officer Determining allegations of misconduct on the part of Members and co-opted Members of the Council, Parish, and Town Councils

I would like to thank everyone for their endeavour to uphold these standards, in particular the four Independent Persons for their input into Code of Conduct complaints. I would also like to extend my thanks to committee members, the monitoring officer for her guidance and democratic service staff members



Councillor Suresh Patel
Chairman, Democracy and Standards Committee

Introduction

West Northamptonshire Council has a duty to promote and maintain high standards of conduct by Members and Co-opted Members and the Council aims to have the highest possible ethical standards in place across the Council.

Membership of the Democracy and Standards Committee 2022/2023

The Democracy and Standards Committee comprised the following Members for 2022/2023:

Councillor Suresh Patel (Chairman)
Councillor Andrew Grant (Vice Chairman)
Councillor Daniel Cribbin
Councillor Jonathan Harris
Councillor Cecile Irving- Swift
Councillor Andrew Kilbride
Councillor Danielle Stone
Councillor Laura Stevenson
Councillor Mike Warren

Independent Persons

Under the Localism Act 2011, the Council is required to appoint one or more Independent Persons to assist in the Standards process. The functions of the Independent Persons are:

- they must be consulted by the authority and their views taken into account before the authority makes a finding as to whether a member has failed to comply with the Code of Conduct or decides on action to be taken in respect of that member. (This means that their views must be sought on a decision to take no action where the investigation finds no evidence of breach or, where the investigation finds evidence that there has been a breach, on any local resolution of the complaint, or on any finding of breach and on any decision on action as a result of that finding).
- they may be consulted by the authority in respect of a standards complaint at any other stage; and
- they may be consulted by a member or co-opted member of the Borough Council or of a Parish Council against whom a complaint has been made.

In 2021 the Council appointed the following Independent Persons:

Tom Edwards
Peter Glover
Alan Haynes
John Peachy

During 2022/2023 the Monitoring Officer consulted the Independent Persons on a number of cases.

Work of the Democracy and Standards Committee during 2022/2023 (June 2022 to May 2023)

During the year the Democracy and Standards Committee has met six times. Its work included:

- Approval of the Work Programme of the Democracy and Standards Committee
- To action items on the Work Programme of the Committee
- Undertaking a review of various sections of the Council's Constitution
- Undertake a Boundary Review, making recommendations to full Council
- Receiving statistics in relation to the number of complaints received and dealt with in respect of the Code of Conduct
- Overseeing Member Development and identify further training needs and to identify mandatory training
- Considering Elections scale of fees and charges
- Approval of the second Annual Report of the Democracy and Standards Committee

Code of Conduct

Complaints about Councillors are dealt with as part of the Council's standards process.

This Council's arrangements for dealing with complaints against Councillors also apply to complaints made about Parish Councillors within West Northamptonshire.

Each Parish Council is responsible for adopting a code of conduct for its Parish Councillors.

Code of Conduct Complaints

During 2022/2023 the Committee was appraised of the completed complaints and any outstanding complaints of alleged breaches of the Code of Conduct. The Committee receives six monthly updates on the complaints at its meetings:

[Code of conduct complaints update](#)

At its meeting in July 2023, the Committee is scheduled to receive a further comprehensive update on the Code of Conduct complaints.

Councillor Training and Development

The standards responsibilities of the Committee includes advising, training, or arranging training for Members and co-opted Members of the Council, Parish and Town Councils on matters relating to the member Code of Conduct and the Planning Code of Conduct. The Democracy and Standards Committee has Member oversight of the Councillor training programme to ensure that Councillors have the skills they need to support effective decision making.

Member development is training and development opportunities, activities and programmes that offered to elected members by West Northamptonshire Council which support members to carry out their roles

effectively. During 2022/2023 training sessions were delivered to Members on Code of Conduct, Planning matters and licensing.

Monthly briefings are scheduled in the Member calendar and topics added to these as the needs arise, during 2022/23 there have been a number of key briefings which included briefings around finance, electoral review, community safety, housing, and planning.

All sessions were held remotely over an online audio and web conferencing platform with the aim to maximise attendance. All training and briefing sessions are recorded and saved into a Teams Channel for Councillors to access again at a later date. The Committee received, at its meeting in January 2023, statistics in relation to the training sessions held the number of Councillors attending each session.

The Council's Intranet comprises a Members' area which includes the links to the recordings, and a number of resources available for Members within the Council's e-learning system.

Councillor training is aimed to equip Members with the required knowledge and skills to enable them effectively to carry out their various roles. Mandatory training includes Licensing training for Members of that Committee, Planning Committee Member training and all Councillors are required to attend training on the Council's Code of Conduct and associated issues. The Democracy and Standards Committee agreed that any refresher training for these Committees would also require mandatory Councillor attendance. The Council has implemented a new structure for both Planning and Overview and Scrutiny and for 2023/2024 Member training will centre around Planning and Overview and Scrutiny Councillor development.

Constitution Review

The Committee undertook various reviews of sections of the Council's Constitution and made proposals to for onward recommendations to full Council. The Committee noted a number of minor updates to the Constitution made by the Monitoring Officer under delegated authority. Following meetings of full Council that approved the various changes to the constitution, an updated version of the Council's constitution was published on its website.

Local Government Boundary Review

The Committee established a Task and Finish Group that led on putting forward proposals for the submission to the Local Government Boundary Commission for England for the Local Government Boundary Review for West Northamptonshire Council. The draft submission document, as proposed by the Committee, was presented to full Council at its June 2022 meeting for consideration and approval. The submission document was then submitted to the Local Government Boundary Commission for England. The Task and Finish Group of the Democracy and Standards Committee will be continuing further work on this review, concentrating on ward boundaries.

Future Activity

The Work Plan for 2023/2024 was approved by the Democracy and Standards Committee at its January 2023 meeting. It will include standing annual items but will evolve as necessary during the year, taking into account any developing issues pertaining to democracy and standards.

WEST NORTHAMPTONSHIRE COUNCIL
DEMOCRACY AND STANDARDS COMMITTEE

WORK PROGRAMME 2023/2024

Date of the Democracy and Standards Committee	Topics and Rationale
12 January 2023	<ul style="list-style-type: none"> • Member Development – To provide an update on Member training for the Committee’s information and seek support for the classification and requirements in relation to the Member training programme • Statistics – code of Conduct Arrangements – Annual update – To provide an update on the number of complaints received and dealt with, in respect of the Code of Member Conduct • Proposed amendments to the Constitution - To consider proposed amendments to the Constitution • Carried Motions on Notice - Predecessor Councils - The Committee to consider carried Motions from Predecessor Councils, with reasons provided proposed for re-adoption. • Work Programme 2023/2024 - To approve the Work programme for 2023/2024
9 March 2023	<ul style="list-style-type: none"> • Boundary Review Task and Finish Group - To provide an update on progress of the work of this Task and Finish Group • Proposed amendments to the Constitution - To consider proposed amendments to the Constitution • National Changes – Ethics and Standards – To provide an update on national changes in respect of Ethics and Standards that may impact on the Council’s arrangements for ethical standards (if required) • Proposed Member Development Programme (years 3 and 4) - To provide an update on the proposed Member Development Programme • Work Programme 2023/2024 - To review the Work Programme for the Democracy and Standards Committee
15 June 2023	<ul style="list-style-type: none"> • Register of Members' Interests - To provide an update regarding the operation of the Register of Members’ Interests 2022/2023 • Proposed amendments to the Constitution - To consider proposed amendments to the Constitution • National Changes – Ethics and Standards – To provide an update on national changes in respect of Ethics and Standards that may impact on the Council’s arrangements for ethical standards • Annual Report of the Democracy and Standards Committee 2022/2023 – To consider the draft Annual Report of the Democracy and Standards Committee 2022/2023 • Member Development Programme 2023/2024 – Progress report • Work Programme 2023/2024 - To review the Work Programme for the Democracy and Standards Committee

<p>21 September 2023</p>	<ul style="list-style-type: none"> • Proposed amendments to the Constitution - To consider proposed amendments to the Constitution • Statistics – code of Conduct Arrangements – Six monthly update – To provide an update on the number of complaints received and dealt with, in respect of the Code of Member Conduct • National Changes – Ethics and Standards – To provide an update on national changes in respect of Ethics and Standards that may impact on the Council’s arrangements for ethical standards • Training for Democracy and Standards Committee - to consider any training specific to the Democracy and Standards Committee Members • Work Programme 2023/2024 - To review the Work Programme for the Democracy and Standards Committee
<p>15 November 2023</p>	<ul style="list-style-type: none"> • National Changes – Ethics and Standards – To provide an update on national changes in respect of Ethics and Standards that may impact on the Council’s arrangements for ethical standards • Proposed amendments to the Constitution - To consider proposed amendments to the Constitution • Work Programme 2023/2024 - To review the Work Programme for the Democracy and Standards Committee
<p>25 January 2024</p>	<ul style="list-style-type: none"> • Statistics – code of Conduct Arrangements – Annual Review – To provide an update on the number of complaints received and dealt with, in respect of the Code of Member Conduct • Member Development – To provide an update on member training for the Committee’s information and seeks support for the classification and requirements in relation to the member training programme • National Changes – Ethics and Standards – To provide an update on national changes in respect of Ethics and Standards that may impact on the Council’s arrangements for ethical standards (if required) • Work Programme 2024/2025 - To propose a work programme for the Committee for 2024/2025