



# Democracy and Standards Committee

A meeting of the Democracy and Standards Committee will be held at the The Jeffery Room, The Guildhall, Northampton on Thursday 28 July 2022 at 6.00 pm

## Agenda

1.	<b>Apologies for Absence and Notification of Substitute Members</b>
2.	<b>Declarations of Interest</b> 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.	<b>Chair's Announcements</b> To receive communications from the Chair.
4.	<b>Minutes</b> (Pages 5 - 10) To confirm the Minutes of the meeting of the Committee held on 16 <sup>th</sup> June 2022.
5.	<b>Statistics - code of Conduct Arrangements - Six monthly update</b> (Pages 11 - 16) To provide an update on the number of complaints received and dealt with, in respect of the Code of Member Conduct
6.	<b>Member Development</b> (Pages 17 - 26) 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
7.	<b>Register of Members' Interests</b> (Pages 27 - 32)

8.	<b>Boundary Review - verbal update</b>
9.	<b>Proposed amendments to the Constitution</b> (Pages 33 - 36)
10.	<b>Carried Motions on Notice - Predecessor Councils</b> (Pages 37 - 44)
11.	<b>Review of Committee Work Programme</b> (Pages 45 - 46) To review and note the Committee Work Programme.
12.	<b>Urgent Business</b> The Chairman to advise whether they have agreed to any items of urgent business being admitted to the agenda.
13.	<b>Exclusion of Press and Public</b> 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"

Catherine Whitehead  
Proper Officer  
20 July 2022

**Democracy and Standards Committee Members:**

Councillor Suresh Patel (Chair)

Councillor Andrew Grant (Vice-Chair)

Councillor Mike Warren

Councillor Daniel Cribbin

Councillor Danielle Stone

Councillor Jonathan Harris

Councillor Andrew Kilbride

Councillor Cecile Irving-Swift

Councillor Laura Stevenson

### **Apologies for Absence**

Apologies for absence and the appointment of substitute Members should be notified to [democraticservices@westnorthants.gov.uk](mailto: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

### **Local Government and Finance Act 1992 – Budget Setting, Contracts & 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**

If a continuous fire alarm sounds you must evacuate the building via the nearest available fire exit. Members and visitors should proceed to the assembly area as directed by Democratic Services staff and await further instructions.

### **Access to Meetings**

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

### **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 via the following:

Tel: 01604 837408 & 01327 302236

Email: [democraticservices@westnorthants.gov.uk](mailto: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 The Jeffery Room, The Guildhall, Northampton on Thursday 16 June 2022 at 6.00 pm.

Present            Councillor Suresh Patel (Chair)  
                       Councillor Andrew Grant (Vice-Chair)  
                       Councillor Mike Warren  
                       Councillor Danielle Stone  
                       Councillor Jonathan Harris  
                       Councillor Andrew Kilbride  
                       Councillor Cecile Irving-Swift

Apologies for  
 Absence:            Councillor Daniel Cribbin  
                           Councillor Laura Stevenson

Officers            Catherine Whitehead, Director of Legal and Democratic (Monitoring Officer)  
                           Tracy Tiff, Deputy Democratic Services Manager  
                           Marina Watkins, Committee Officer

### 27. **Declarations of Interest**

None advised.

### 28. **Minutes**

#### **RESOLVED:**

That the Minutes of the Democracy and Standards Committee held on 27<sup>th</sup> January 2022 be approved and signed as a correct record.

### 29. **Chair's Announcements**

The Chair welcomed Councillors Mike Warren and Danielle Stone to the Committee and thanked Councillors Gareth Eales and Fiona Cole for their work on the Committee.

### 30. **Annual Report of the Democracy and Standards Committee 2021/2022**

In response to a query, the Monitoring Officer advised that the four Independent People were carried over from the previous Councils due to time constraints when the Unitary Authority was formed. The previous Councils advertised the roles originally and candidates would have been scrutinised for their suitability for the role.

It was suggested that more diverse appointments could be encouraged in the future, although it was pointed out that it was unlawful to positively discriminate without good reason.

There did appear to be a high number of complaints, however the West Northants area had a very large number of Parish Councils. Awareness needed to be raised amongst parish councils and discussions would be held with purchase order 31400015922 the Chief Executive of NCALC to highlight potential training issues, particularly with regards to behavioural issues.

The recommendations submitted in the report were agreed.

**RESOLVED:**

That the Committee approves the proposed Annual Report 2021/2022 and recommends it for submission to full Council at its meeting on 30 June 2022.

**31. Boundary Review Task and Finish Group**

The Monitoring Officer presented the latest submission of the Task Panel. Several meetings had been held with the second part of the process to take place from September.

Councillors encouraged the use of gender neutral language in a bid to encourage the widest group of people possible to stand for election in the future.

**RESOLVED:**

That the Committee approves the final submission of the Task Panel and endorses its submission to the Local Government Boundary Commission.

**32. Parliamentary Boundary Review 2023**

Consideration was given to the Parliamentary Boundary Review report which was provided for information only. Consultation was on going.

The recommendations submitted in the report were agreed.

**RESOLVED:**

That the Committee notes the information contained in the report on the Parliamentary Boundary Review 2023.

**33. Elections - Scale of Fees and Charges (Update)**

Consideration was given to the report detailing proposed changes to the scales of election fees and charges. Polling station staff would be given additional responsibilities, such as checking voter I.D. and there as a need to maintain parity with pay offered by neighbouring councils to assist with staff retention.

It was pointed out that the Returning Officer fee was calculated by reference to the electorate and responsibilities, with the fee often being divided amongst other positions. The role of the Returning Officer was a standalone role, separate from that of Chief Executive and brought with it personal responsibilities and performance standards checked by the Electoral Commission. It was suggested that the role of Returning Officer and the fee it attracted could be better explained. The Monitoring Officer undertook to discuss the matter with the Chief Executive.

**RESOLVED:**

That the Committee:

- a) approves the increase to Returning Officer fees contained within Appendix B.
- b) approves all other fees and charges within the Scale of Fees at Appendix B.

**34. Register of Members' Interests**

Consideration was given to the report detailing the register of members' interests. Members were sent regular emails reminding them to keep their registers up to date. A member of the public had a particular interest in the register and identified any discrepancies.

Members were urged to check and update their forms on a regular basis. Group Leaders would be contacted over a small number of members who failed to respond to requests. It was suggested that a large number of members were new to the role and may not be aware of the importance of completion of the register. Members were asked to raise the profile of members' interests within their groups.

**RESOLVED:**

That the Committee notes the process that is followed for the operation of the Register of Members' Interests.

**35. Carried Motions on Notice - Predecessor Councils**

Consideration was given to the report on Carried Motions from Predecessor Councils.

The Deputy Democratic Services Manager advised that the Motions had been discussed by the appropriate Scrutiny Committee although each had agreed a different manner of dealing with them. Corporate Scrutiny Committee noted the Motions, whilst Place Scrutiny incorporated any relevant Motions into its work programme. People Scrutiny closed some items to future action and suggested that others were considered for re-adoption by Council.

Following discussion it was agreed that the item be brought back to the next meeting of the Democracy and Standards Committee for Members to agree a single approach for the Overview and Scrutiny Committees to consider the Motions on Notice.

The Committee agreed that in the future, motions are published annually on the Council's website.

**RESOLVED:**

That the Democracy and Standards Committee:

- a) Agrees that a single approach to the Overview and Scrutiny Committees in dealing with Motions on Notice is appropriate.
- b) That the item on Carried Motions on Notice – Predecessor Councils is considered at the next meeting of the Democracy and Standards Committee
- c) Agrees that the Council publishes motion updates annually on its website in future, to provide members of the public and councillors with the facility to access motions that have been passed at Council meetings, without having to go through the minutes of each meeting.

**36. Updates to the Constitution**

Consideration was given to the report detailing updates to the Constitution.

The Committee discussed the use of the term 'Chairmen'. It was considered that an individual may express a preference for how they wished to be referred to but it was then for others to choose the term they preferred to use on the understanding that it was respectful.

There was agreement that 'Priority Opposition Business' would be preferential to 'Priority Opposition Motions' as it would allow an opportunity to share views and allow the public some insight into the Opposition. The need for a vote was not considered necessary, as it was an opportunity to have a full and robust discussion.

There were some concerns regarding time management, however it was suggested that the main Opposition group could allow another group the opportunity to take 'Priority Opposition Business' for one Council meeting annually.

It was also suggested that the individuals involved are widened to include the Leader, Deputy Leader, Cabinet Member. Councillor Danielle Stone agreed to discuss the matter with her Group and report back to the Monitoring Officer with views on Monday.

Subject the above changes, the recommendation of the report were agreed.

**RESOLVED:**

- a) That the Committee approves the updates to the Constitution as set out in section 5 of the report.
- b) recommends the following additional changes to be considered by the Council at its meeting on 30 June 2022:
  - i) Change 'the holder may decide how they wish to be addressed' to 'the holder may express a preference for how they wish to be addressed'



- ii) 'Priority Opposition Motions' to be changed to 'Priority Opposition Business' and for no vote to be required.
- iii) that the main Opposition Group allow the smaller opposition group 'a turn' each year.
- iv) That the individuals involved in 'Priority Opposition Business' be widened to include 'Leader, Deputy Leader and Cabinet member'.

37. **Constitution Review**

Covered under agenda item above

38. **Review of Committee Work Programme**

Consideration was given to the Committee's work programme.

Further to discussion, the following points were made:

- The Monitoring Officer to put together suggested ways forward to increase the profile of standards issues amongst parish councils, with issues to be discussed with NALC
- That a list of 'ethical indicators' be compiled, to include areas such as Freedom of Information requests, complaints etc, in order to give an indication of trends

**RESOLVED:**

- i) That the Committee Work Programme is noted.
- ii) That consideration be given to increasing the profile of standards issues amongst parish councils
- iii) That a list of 'ethical indicators' be compiled and submitted to a future meeting of the Committee

39. **Urgent Business**

None advised

The meeting closed at 7.20 pm

Chair: \_\_\_\_\_

Date: \_\_\_\_\_

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## WEST NORTHAMPTONSHIRE COUNCIL

### DEMOCRACY AND STANDARDS COMMITTEE 28 JULY 2022

Report Title	STATISTICS – CODE OF CONDUCT ARRANGEMENTS SIX MONTHLY UPDATE
Report Author	Tracy Tiff, Deputy Democratic Services Manager, <a href="mailto:tracy.tiff@westnorthants.gov.uk">tracy.tiff@westnorthants.gov.uk</a>

Contributors/Checkers/Approvers		
MO	Gina Clarke for Catherine Whitehead	6 July 2022
S151	Martin Henry	12 July 2022
Communications Lead/Head of Communications	Becky Hutson	20 July 2022

#### List of Appendices

None.

#### 1. Purpose of Report

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- 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

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- 2.1 The West Northamptonshire Council (WNC) Constitution specifies that one of the purposes 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 This is an opportunity for the Committee to be appraised of:

- (a) A precis of all completed complaints and any outstanding complaints of alleged breaches of the Code of Conduct since the complaint's statistics were reported to the Committee.

meeting in January 2022. Any complaints that were reported to the January 2022 meeting that are still live have been included within the information detailed at paragraph 4.1 below. This is in accordance with the Committee's duty to discharge functions in relation to the promotion and maintenance of high standards of conduct within West Northamptonshire Council and Town and Parish Councils within the area of West Northamptonshire.

- (b) The procedure and process in dealing with complaints of alleged breaches of the Code of Conduct.

### **3. Recommendations**

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3.1 It is recommended that the Democracy and Standards Committee:

- a) Notes the statistics in relation to the number of complaints received and dealt with, in respect of the Code of Member Conduct.
- b) Notes the process that is followed in dealing with complaints received in respect of the Code of Member Conduct.

#### **3.2 Reason for Recommendations**

- 3.2.1 The recommendations are intended to enable the Committee to receive statistical data in relation to the number of complaints received and dealt with in respect of the Code of Member Conduct and thereby enable it to carry out its Standards responsibilities effectively.
- 3.2.2 To enable the Committee to identify whether there are any patterns or common themes in the type of complaints received and to consider whether all Members would benefit from training on any matter relating to Member Code of Conduct to enable them to fulfil their public functions effectively.
- 3.2.3 The recommendations enable the Committee to receive details of the process used in dealing with complaints received in respect of the Code of Member Conduct.

### **4. Report Background**

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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, statistical data in relation to complaints received and dealt with will be provided to inform this role of the Committee.

## Complaints – Member Code of Conduct

- 4.2 The adopted arrangements for dealing with allegations of breach of the code of conduct for councillors provides for an initial filtering process by the Monitoring Officer and in consultation with one of the Independent Persons to decide whether: -
- There is no breach of the Code and no further action should be taken; or
  - There is a potential breach of the Code and informal resolution is appropriate, to include for example mediation, training, apology, advice; or
  - There is a potential breach of the Code and the Monitoring Officer should undertake or commission an investigation into the complaint with a view to a report then being considered by the Standards Committee.
- 4.3 The analysis provides details of the nature of the complaint, the initial filtering decision of the Monitoring Officer, any informal resolutions agreed (where applicable), and the status of the complaint. Complaints against councillors of the predecessor councils who did not stand for re-election and were therefore not investigated have not been included (this does relate to one of the complaints).
- 4.4 Certain specific detailed information regarding pending complaints has not been provided as this may be prejudicial to the conduct of the ongoing complaints process. Personal details have also not been included to protect both the identity of councillors and the complainant.
- 4.5 Details of complaints in relation to the Code of Conduct are set out below.

Date received	Council	Assessment of the Monitoring Officer	Status
06/07/21	<b>Parish Council</b> Complaint regarding alleged bullying.	The complaint is currently on hold whilst the results of another matter are awaited.	Live whilst the results of another matter are awaited
12/01/22	<b>West Northants Council</b> Two complaints submitted regarding the completion of all sections of the Register of Interest form	The Monitoring Officer held discussions with the subject Member. Matter resolved informally	Closed
12/02/22	<b>West Northants Council</b> Complaint submitted regarding alleged conflicts of interest at a meeting of an area Planning Committee	The Monitoring Officer consulted the Independent Person and assessed that there had been a potential breach of the Code - Referred for Investigation	Investigator's report to be finalised
.28/02/22	<b>Parish Council</b>	The Monitoring Officer consulted the Independent	Open – referred for investigation

	Complaint against a Councillor regarding alleged Linguistic racism and aggressive behaviour during a meeting	Person and assessed that there had been a potential breach of the Code - Referred for Investigation	
01/03/22	<b>Parish Council</b> Complaint against a councillor regarding alleged linguistic racism during a meeting	The Monitoring Officer consulted the Independent Person and assessed that there had been a potential breach of the Code - Referred for Investigation	Open – referred for investigation
17/03/22	<b>West Northants Council</b> Complaint against a Councillor regarding not responding to a resident's email	The complainant withdrew the complaint as the issue had been resolved	Closed - the complainant withdrew the complaint as the issue had been resolved
25/04/22	<b>Predecessor Council</b> Complaint against a now former Councillor regarding issues pre 1 April 2021.	The Monitoring Officer closed the complaint as this related to pre 1 April 2021.	Closed
26/04/22	<b>West Northants Council</b> Complaint against a Councillor regarding alleged disrespectful behaviour towards another Councillor during a meeting	The Monitoring Officer is currently undertaking an initial assessment of the complaint	Open – the Monitoring Officer is undertaking an initial assessment of the complaint
01/05/22	<b>West Northants Council</b> A complaint submitted regarding the completion of all sections of the Register of Interest form	The Monitoring Officer is in discussions with the Councillor regarding the complaint and their Register of Interest form	Open
04/05/22	<b>West Northants Council</b> Complaint against a Councillor regarding social media activity	The Monitoring Officer has requested the complainant to provide further details in order that the complaint can be assessed.	Live – awaiting further information from the complainant
30/05/22	<b>Parish Council</b> Complaint against two Councillors regarding threatening behaviour towards the complainant	The Monitoring Officer is in the process of undertaking an initial assessment of the complaint	Live
30/05/22	<b>Parish Council</b> Complaint against a Councillor regarding alleged disrespectful behaviour during a meeting	The Monitoring Officer is in the process of undertaking an initial assessment of the complaint	Live
04/06/22	<b>West Northants Council</b>	The Monitoring Officer is in the process of undertaking an	Live

	Complaint against a Councillor regarding alleged disrespectful behaviour towards Councillors and staff	initial assessment of the complaint	
17/06/22	<b>Parish Council</b> Complaint against a Councillor regarding ridiculing or demeaning towards another Councillor and picking on them or setting them up to fail	The Monitoring Officer is in the process of undertaking an initial assessment of the complaint	Live
27/06/22	<b>Parish Councillor</b> Complaint against a Councillor regarding online bullying and racism	The Monitoring Officer has requested further information regarding the complaint for an initial assessment to take place	Live - awaiting further information
29/06/22	<b>West Northants Council</b> Complaint against a Councillor regarding correspondence sent in relation to a planning matter.	The Monitoring Officer has requested further information regarding the complaint for an initial assessment to take place	Live - awaiting further information

## 5. Issues and Choices

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- 5.1. Members are asked to note the information provided in respect of the Code of Conduct complaint process and complaints received.

## 6. Implications (including financial implications)

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### 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, however, the Committee will be aware that the handling and processing of complaints is resource intensive. A high volume of complaints could have an impact upon resources. It is therefore important that the Committee promotes and maintain high standards of conduct by all Councillors to help limit the number of complaints.

### 6.2 Legal

6.2.1 The Council has a statutory duty under section 27 of the Localism Act 2011, to promote and maintain high standards of conduct by members and co-opted members of the Council. In discharging its duty, the Council must adopt a code dealing with the conduct that is expected Members when they are acting in that capacity.

6.2.2 Under Section 28 of the Localism Act 2011, the Council must have in place ‘arrangements’ under which allegations that an elected or co-opted councillor of the Council or of a town or parish council within West Northamptonshire has failed to comply with their codes or Council’s Code of Conduct, can be considered and decisions made on such allegations. It is for the Council to decide the details of those arrangements, but they must appoint at least one Independent Person whose views are to be taken into account before making a decision to investigate a complaint.

6.2.3 Complaints are received in accordance with the arrangements for dealing with allegations of breaches of the West Northamptonshire Members’ Code of Conduct and of codes adopted by Parish Councils within West Northamptonshire. The Council has a legal duty to respond to complaints made against councillors of allegations of a breach of the Code of Conduct.

### 6.3 **Risk**

6.3.1 There are none specifically.

### 6.4 **Communication and Consultation**

6.4.1 This is an update report which monitors complaints handling and is therefore not appropriate for wider consultation.

### 6.5 **Consideration by Overview and Scrutiny**

6.5.1 This is an update report which monitors complaints handling and it is therefore not appropriate to be referred to Overview and Scrutiny. An annual report of the Committee will include complaints handling through the Committee.

### 6.6 **Climate Impact**

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

### 6.7 **Community Impact**

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

## **7 Background Papers**

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Complaints received in respect of the arrangements for dealing with allegations of breaches of the West Northamptonshire Members’ Code of Conduct and of Codes of Conduct adopted by Parish Councils within West Northamptonshire. These records contain exempt information (Categories 1 (Information relating to any individual) and 2 (Information which is likely to reveal the identity of an individual))





Item no:

**WEST NORTHAMPTONSHIRE COUNCIL**  
**DEMOCRACY AND STANDARDS COMMITTEE**

**28 JULY 2022**

<b>Report Title</b>	<b>Member Development</b>
<b>Report Author</b>	<b>Tracy Tiff, Deputy Democratic Services Manager,</b> <a href="mailto:tracy.tiff@westnorthants.gov.uk">tracy.tiff@westnorthants.gov.uk</a>

<b>Contributors/Checkers/Approvers</b>		
<b>MO</b>	Gina Clarke Governance Lawyer on behalf of Catherine Whitehead	<b>7 July 2022</b>
<b>S151</b>	Martin Henry	<b>12 July 2022</b>

**List of Appendices**

**Appendix A – Member development session statistics**

**1. Purpose of Report**

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- 1.1 The report provides 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.

**2. Executive Summary**

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- (a) Details of training and briefings that Members have received since May 2021 was reported to the meeting of Democracy and Standards Committee in January 2022 which included:

- Ethics and Standards training for Members
- The offer and take up of generic training
- Mandatory targeted training, e.g., for members of the Planning and Licensing Committees. Councillors must have received this training before they can sit on either of these Committees.
- Further training planned and for the Committee to identify whether there is a need for additional training and what this should cover

(b) Since January 2022, further development sessions for Members have taken place, along with various important Member briefings that include:

Code of Conduct training

Code of Conduct training in relation to Planning

Planning Committees training

Planning Committee training for Councillors newly appointed to a Planning Committee

Overview and Scrutiny training

(c) At its meeting in January 2022, the Committee resolved that any refresher training for Members of Planning Committees and the Licensing Committees would be mandatory and this has been communicated to Councillors.

### **3. Recommendations**

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3.1 It is recommended that the Democracy and Standards Committee:

- a) Notes the Councillor development programme to date and identifies whether there is a need for additional training that is not currently included within the programme.
- b) That consideration is given to the induction programme and agree which of the sessions should be repeated during 2022/2023.

#### **3.2 *Reasons for Recommendations***

3.2.1 The recommendations are intended also to enable the Committee to receive details regarding the Councillor development programme and provide members with an opportunity to suggest further training requirements that they feel are required.

### **4. Report Background**

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#### **Member Development**

4.1 *The Standards responsibilities of the Committee include 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.* Member training is a wider issue and particularly for a new Council it is important that there is Member oversight of the Member training programme to ensure that Members have the skills they need to support effective decision making.

4.6 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.

## Induction Programme

- 4.7 As reported to the meeting of the Committee in January 2022, the Councillor Induction Programme was designed for both returning and newly elected councillors.
- 4.8 The Councillor Induction Programme took place over three months – May, June and July 2021 and it is envisaged that some sessions will be repeated later in the year. The Committee is asked to consider which of the sessions detailed in the induction programme should be repeated during 2022/2023.
- 4.9 The member induction programme took place remotely using the online audio and video system – Zoom. The sessions were well attended; details of the main session and attendance statistics are attached at **Appendix A**.
- 4.10 Training, including any refresher training, for members of both the Planning Committees and Licensing Committees is mandatory.
- 4.11 Officers are continuing to work with representatives of the LGA regarding repeat sessions and it is expected that these will include:
- Chairing Skills
  - Chairing Skills for Chairs and Vice Chairs of Overview and Scrutiny Committees
  - Equalities

As soon as the above development sessions are finalised, they will be programmed into the Councillor development programme and members will be invited to attend.

- 4.12 Officers worked with external training providers regarding development sessions in respect of:
- Overview and Scrutiny – “Doing good Scrutiny”
  - Planning Matters – training for all Members of all of the Planning Committees

These sessions were held during the spring 2022 and provided by external training providers.

- 4.13 There are a number of resources available for members within the e-learning system “iLearn”:
- Councillor Induction and member development section containing slides and recordings of the sessions from the Councillor Induction events held in May 2021
  - An e-learning section which contains the following:
    - Cyber Security
    - Community Leadership
  - Access to the L&D MS365 e-learning page which contains
    - Hints and tips on using MS365
    - Application-focussed quick-start guides and videos
  - My Development Toolkit

- Search any topic and find videos and articles to enhance your own development journey.

## **5. Issues and Choices**

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- 5.1 The Committee is asked to consider whether there is a need for additional training that is not currently included within the programme; and
- 5.2 To consider the induction programme 2021/2022 and agree which of the sessions should be repeated during 2022/2023.

## **5 Implications (including financial implications)**

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### **6.1 Resources and Financial**

- 6.1.1 There are no immediate financial implications arising from the proposals. However, should an external training provider be sourced to deliver any training there would be a cost implication but there is budgetary provision available in the Councillor development budget.
- 6.1.2 There are no direct manpower implications arising from this report however should the training be delivered by internal officers there is a resource implication upon those officers.

### **6.2 Legal**

- 6.2.1 The Democracy and Standards Committee and the wider council have a duty to ensure that Members are supported in carrying out their roles effectively. This includes providing training. One of the key roles undertaken by Members 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. 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. A structured training and development programme for newly elected Members and continuing training for all Members throughout their term of office will equip them with essential knowledge and skills to perform their roles effectively.

### **6.3 Risk**

- 6.3.1 There are risks if Council members do not have the training, they need to carry out their roles effectively.

### **6.4 Consultation**

- 6.4.1 This is an update report that details member development information and is not therefore appropriate for wider consultation.

## **6.5 Consideration by Overview and Scrutiny**

6.5.1 This is an update report and is not appropriate to be referred to Overview and Scrutiny. The annual report 2021/2022 of the Committee included details of member development through the Committee. Each annual report of the Democracy and Standards Committee will include such data.

## **6.6 Climate Impact**

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

## **6.7 Community Impact**

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

## **7 Background Papers**

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Members' induction programme 2021/2022

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<b>Member Training Type</b>	<b>Date of Training</b>	<b>Number attended</b>
<b>General Induction - 'Hitting the Ground Running'</b> <b>Session A – For newly elected Councillors</b> <b>Session B – Open to all Councillors</b>	<b>17 May 2021</b>	<b>39 (Session A)</b> <b>19 (Session B)</b>
<b>Safeguarding</b>	<b>18 May 2021</b>	<b>30</b>
<b>Governance/Ethics/Code of Conduct and Member/Officer Relationships/the Role of a Councillor</b>	<b>19 May 2021</b>	<b>41</b>
<b>Licensing Training</b>	<b>21 May 2021</b>	<b>17</b>
<b>Planning Training</b>	<b>24 May 2021</b>	<b>20 (Session 1)</b> <b>14 (Session 2)</b>
<b>Corporate Parenting and the Children's Trust</b>	<b>25 May 2021</b>	<b>36</b>
<b>Communications and Media Relations and Equalities Session A</b>	<b>27 May 2021</b>	<b>18</b>
<b>Working Together Effectively as the Cabinet/Executive</b>	<b>1 June 2021</b>	<b>Postponed</b>
<b>Data Protection and GDPR</b>	<b>2 June 2021</b>	<b>6</b>
<b>Equality in Local Government: The Councillors' Role</b>	<b>3 June 2021</b>	<b>17 (Session 1)</b> <b>20 (Session 2)</b>
<b>Communications and Media Relations and Equalities Session B</b>	<b>4 June 2021</b>	<b>14</b>
<b>Local Government Finance: The Essentials</b>	<b>10 June 2021</b>	<b>33</b>
<b>Members' Welcome Day</b>	<b>12 June 2021</b>	<b>47 (am session)</b> <b>45 (pm session)</b>



<b>Overview and Scrutiny</b>	<b>15 June 2021</b>	<b>29</b>
<b>Good and Efficient Chairing of Meetings</b>	<b>28 June 2021</b>	<b>17 (Session A) 21 (Session B)</b>
<b>Education Services: Responsibilities of Top Tier Councils Briefing</b>	<b>19 July 2021</b>	<b>23</b>
<b>Environmental Issues</b>	<b>22 July 2021</b>	<b>27</b>
<b>Spatial Options Member Briefing</b>	<b>11 October 2021</b>	<b>21</b>
<b>WNC Strategic Plan Spatial Options Consultation Briefing</b>	<b>11 October 2021</b>	
<b>Member Briefing Northampton City Status</b>	<b>22 October 2021</b>	
<b>Licensing Webinar</b>	<b>3 November 2021</b>	<b>12</b>
<b>Transformation Issues Briefing</b>	<b>4 November 2021</b>	<b>19</b>
<b>Planning Issues Briefing</b>	<b>10 November 2021</b>	
<b>WNC Electoral Review Member Briefing</b>	<b>23 November 2021</b>	
<b>Electoral Review Briefing</b>	<b>25 November 2021</b>	<b>19</b>
<b>Strategic Planning Refresher Training</b>	<b>13 January 2022</b>	
<b>Treasury Management Briefing</b>	<b>1 February 2022</b>	
<b>Mental Health Awareness and Self Care</b>	<b>10 February 2022</b>	
<b>Planning Issues Briefing</b>	<b>18 February 2022</b>	
<b>Decarbonisation of Pensions Fund Member Briefing</b>	<b>10 March 2022</b>	
<b>Economic Prospectus Briefing</b>	<b>10 March 2022</b>	





<b>Mental Health Awareness for Councillors</b>	<b>17 March 2022</b>	
<b>Planning Committees Member Training</b>	<b>28 March 2022</b>	
<b>Strategic Planning Committee Training: Minerals and Waste</b>	<b>4 April 2022</b>	
<b>Mental Health Awareness for Councillors</b>	<b>13 April 2022</b>	
<b>Data Protection and GDPR</b>	<b>28 April 2022</b>	<b>13</b>
<b>Member Development Sessions and briefings held since May 2022</b>		
<b>Integrated Care System Briefing</b>	<b>7 May 2022</b>	
<b>Mental Health Awareness for Councillors</b>	<b>17 May 2022</b>	
<b>Taxi &amp; Private Hire Best Practice Guidance Button Training Webinar</b>	<b>24 May 2022</b>	
<b>Planning Issues Briefing</b>	<b>27 May 2022</b>	
<b>Treasury Management Briefing</b>	<b>6 June 2022</b>	
<b>Local Boundary Review Briefing</b>	<b>9 June 2022</b>	
<b>Highways Contract Member Briefing</b>	<b>13 June 2022</b>	
<b>Overview &amp; Scrutiny Training</b>	<b>15 June 2022</b>	<b>26</b>
<b>Mental Health Awareness for Councillors</b>	<b>20 June 2022</b>	
<b>Code of Conduct Training for Members that did not attend the session held in May 2021</b>	<b>29 June 2022</b>	<b>15</b>
<b>Code of Conduct training for Daventry Area Planning Committee</b>	<b>8 June 2022</b>	<b>10</b>
<b>Code of Conduct training for Northampton Area Planning Committee</b>	<b>5 July 2022</b>	<b>9</b>
<b>Code of Conduct training for South Northants Area Planning Committee</b>	<b>9 June 2022</b>	<b>9</b>



**West  
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<b>Code of Conduct training for Strategic Planning Committee</b>		<b>Deferred to take place in August 2022</b>
<b>Member Briefing - Planning</b>	<b>13 July 2022</b>	



**West  
Northamptonshire  
Council**





**WEST NORTHAMPTONSHIRE COUNCIL**

**DEMOCRACY AND STANDARDS COMMITTEE**

**28 JULY 2022**

<b>Report Title</b>	<b>REGISTER OF MEMBERS' INTERESTS</b>
<b>Report Author</b>	Tracy Tiff, Deputy Democratic Services Manager, <a href="mailto:tracy.tiff@westnorthants.gov.uk">tracy.tiff@westnorthants.gov.uk</a>

<b>Contributors/Checkers/Approvers</b>		
<b>MO</b>	Catherine Whitehead	19 July 2022
<b>S151</b>	James Smith for Martin Henry	20 July 2022
<b>Legal</b>	Gina Clarke Governance Lawyer	19 July 2022

**List of Appendices**

None.

**1. Purpose of Report**

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

**2. Executive Summary**

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- 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 2022 meeting of the Committee on the operation of the Register of Members' Interests. This was presented to the Committee in June 2022 and this report provides a further opportunity for the Committee to be appraised of the operation of the Register of Members' Interests and to be informed of the status of the Member Register of Interest.

### **3. Recommendations**

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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 2022 meeting of the Committee for consideration. This report was presented to the Committee on 16 June 2022 but this report highlights the operation of the Register of Members' Interests.

3.2.3 To promote compliance by all councillors with the requirement to register their pecuniary interest in the councils' publicly available register.

3.2.4 To promote compliance by all councillors with the Member Code of Conduct in being open and transparent about their personal interests.

3.2.5 To maintain the public's confidence that all councillors are putting the public interest first and are not benefiting their own financial affairs from being a councillor.

### **4. Report Background**

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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 meeting of this Committee in June 2022, 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 A 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 2022 for those Members that were unable to attend the May 2021 session. 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. The sessions were recorded and the presentations used are saved in a Teams Channel that all Members can access. The purpose of this is to enable Members to use the documents and recordings as a refresher should then need to remind themselves of anything in relation to the Code of Conduct and the Register of Members' Interests.
- 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 During 2021/2022 as reported to this Committee complaints were received by the Monitoring Officer that some Councillors Register of Interest forms were not fully completed. The Monitoring Officer resolved these complaints informally and instructed Democratic Services to speak with the Councillors and assist them in completing their Register of Interest Forms fully. From the complaints received during 2021/2022, all Councillors have been contacted and if required their Register of Interest Forms updated. A response is still awaited from one Councillor.
- 4.7 As detailed in a separate report on this agenda, a complaint has been received regarding a Member's Register of Interest for 2022/2023 and this complaint is being assessed by the Monitoring Officer.
- 4.8 On a quarterly 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. A reminder was issued recently to Councillors. 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**

- 4.9 West Northamptonshire Council keeps a log of the Register of Interest forms of Parish Councillors within West Northamptonshire and an electronic copy of each form provided is published to the website of WNC.

## **5 Issues and Choices**

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

## **6. Implications (including financial implications)**

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### **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, however, the Committee will be aware that the handling and processing of the Register of Interests is resource intensive.

### **6.2 Legal**

- 6.2.1 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.
- 6.2.2 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.
- 6.2.3 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 open to legal challenge.
- 6.2.4 Failure to declare and register significant personal interests could mean that the Councillor has not complied with the Council's Code of Conduct

### **6.3 Risk**

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

### **6.4 Communication and Consultation**

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

### **6.5 Consideration by Overview and Scrutiny**

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

## **6.6 Climate Impact**

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

## **6.7 Community Impact**

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

## **7 Background Papers**

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The Register of Members' Interests

Training log and reminders to all Councillors

Democracy and Standards Committee agenda and minutes - 16 June 2022

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# WEST NORTHAMPTONSHIRE COUNCIL

## Democracy and Standards Committee

28 June 2022

<b>Report Title</b>	<b>Updates to the Constitution</b>
<b>Report Author</b>	Catherine Whitehead <a href="mailto:catherine.whitehead@westnorthants.gov.uk">catherine.whitehead@westnorthants.gov.uk</a>

### Contributors/Checkers/Approvers

<b>Monitoring Officer</b>	Gina Clarke, Governance Lawyer for Catherine Whitehead	20 July 2022
<b>Chief Finance Officer (S.151 Officer)</b>	James Smith, Deputy S151 for Martin Henry	21 July 2022

### List of Appendices

None.

#### 1. Purpose of Report

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1.1 The purpose of this report is to:

- 1.1.1 Update the Democracy & Standards Committee on a number of minor updates to the Constitution made by the Monitoring Officer under delegated authority;
- 1.1.2 Review the arrangements for Priority Opposition Motions set out at Paragraph 26 of the Council Procedure Rules;
- 1.1.3 Subject to agreement on points 1.1.1 and 1.1.2 above, recommend the revised Constitution be submitted to Council on 29 September 2022 for adoption.

#### 2. Executive Summary

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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 this committee in the autumn of 2021, reporting to Council in December 2021.

- 2.2 Since that time, a number of minor or consequential changes have been made to the Constitution by the Monitoring Officer under delegated authority. These are summarised in section 5 below. These changes have generally been made to correct errors that have been identified or to ensure the Constitution is up-to-date, for example by reflecting changes to the leadership structure.
- 2.3 At the Council meeting on 30 June 2022, the recommendations made by this committee in relation to Priority Opposition Motions were rejected and referred back to the committee for reconsideration. This is expanded on in Section 5 below.

### **3. Recommendations**

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3.1 It is recommended that the Committee:

- a) review the arrangements for Priority Opposition Motions and determine whether to recommend any changes to be considered by the Council at its meeting on 29 September 2022.

### **4. Reason for Recommendations**

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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**

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- 5.1 Following the review undertaken by this committee in the autumn of 2021, the Council adopted a revised Constitution at its meeting on 2 December 2021. The Monitoring Officer has a standing delegation to make updates to the Constitution, for example to ensure it reflects changes to the structure of the Council, to ensure compliance with the law or to correct errors that have been identified.
- 5.2 Priority Opposition Motion. Following the Council meeting held on 21 April 2022, this committee was asked to review the rules that were adopted in December 2021 for the priority opposition motion. The existing rules state:

**26. Priority Opposition Motion (original)**

26.1 *A member nominated by the Leader of the largest political group not forming part of the Administration may move a single Priority Motion on notice (in accordance with Rule 28). The total time allowed for the item will be 15 minutes.*

26.2 *The proposer may speak for up to five minutes, the seconder may speak for up to three minutes, and the member responding on behalf of the Administration may speak for up to five minutes. The Leader of the largest political group not forming part of the Administration may exercise a right of reply for up to two minutes before the motion is put to the vote. No other questions or debate shall be allowed.*

5.3 The committee was invited to consider and determine if any changes should be recommended to Council. The committee discussed the issue and the following revisions were recommended to Council:

**26. Priority Opposition Business (previously recommended by the committee)**

26.1 *A member nominated by the Leader of the largest political group not forming part of the Administration (subject to 26.3 below) may speak to a single item of priority opposition business. The total time allowed for the item will be 15 minutes.*

26.2 *The member referred to in paragraph 26.1 may speak for up to five minutes, a member responding on behalf of the Administration may speak for up to five minutes. The Leader of the largest political group not forming part of the Administration may exercise a right of reply for up to five minutes. The matter under discussion shall not be put to the vote and no other questions or debate shall be allowed.*

26.3 *The second largest political group not forming part of the administration shall be allocated one item of priority opposition business per year. The meeting at which this is allocated shall be determined by the Leader of the largest political group not forming part of the Administration.*

5.4 An amendment was proposed by the Leader of the Principal Opposition Group, subsequently agreed by the Council, to reject the revised rules set out at 5.4 above and refer the matter back to this committee for reconsideration. Due to the nature of these circumstances, it is considered that members of the committee will be best placed to consider the reasons for the referral back to the committee and whether any further recommendations to council are necessary and, if so, what that recommendation might be. However, among the issues the committee may wish to consider are:

- Whether the Priority Opposition Business should be subject to a vote;
- If so, whether it should be subject to amendments in the same way other motions are; and
- Whether the business should be allocated to other opposition groups on a pro-rata basis.

**6. Issues and Choices**

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6.1 The issues and choices insofar as they relate to Opposition Priority Motions are set out in section 5 above.

**7. Implications (including financial implications)**

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**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.

7.2.3 The proposed changes to para 26 of the Council Procedure Rules under consideration by the Committee as set out in paragraph 5.4 of the report, as currently worded if agreed by the Committee would remove the right of a *member nominated by the Leader of the largest political group not forming part of the Administration to move a single Priority Motion on notice and for the motion to be put to the vote.* . The proposed change the would be limited to speaking rights only .

### 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 Cabinet.

### 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

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8.1 None

**WEST NORTHAMPTONSHIRE COUNCIL**  
**DEMOCRACY AND STANDARDS COMMITTEE**

**28 JULY 2022**

<b>Report Title</b>	<b>CARRIED MOTIONS ON NOTICE – PREDECESSOR COUNCILS</b>
<b>Report Author</b>	<b>Tracy Tiff, Deputy Democratic Services Manager, <a href="mailto:tracy.tiff@westnorthants.gov.uk">tracy.tiff@westnorthants.gov.uk</a></b>

<b>Contributors/Checkers/Approvers</b>		
<b>MO</b>	Catherine Whitehead	15 July 2022
<b>Legal Services</b>	Gina Clarke Governance Lawyer	8 July 2022
<b>S151</b>	Martin Henry	9 July 2022

**List of Appendices**

None

**1. Purpose of Report**

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- 1.1 The report provides details of the carried motions on notice from the predecessor councils of the West Northamptonshire area for the previous six years that were considered by the relevant Overview and Scrutiny Committee: Corporate, Place or People at their respective Committee meetings in the autumn 2021.

**2. Executive Summary**

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- 2.1 Under transition regulations the motions of predecessor Councils do not transfer to the successor council. Members were concerned that the motions passed by previous councils eg in relation to Climate etc would be lost and therefore a motion was tabled and carried as follows at the meeting of full Council held on 15 July 2021:

*“This council recognises:*

*The importance of motions passed within the previous four authorities in the West Northamptonshire catchment area.*

*That it is crucial to ensure any democratic decisions are retained and flow through into the present day thinking of WNC.*

*That adopting an exercise to preserve the above will not only efficiently capture all approved motions into one report, it also will reaffirm the importance of local democratic decision making.*

*This council resolves:*

- *To instruct the Democracy & Standards Committee to collate any motions passed in the last six years within the previous authorities.*
- *That once collated, these motions will be forwarded to the relevant Scrutiny Committee to pass comment on.*
- *That once this process is completed, a report containing all legacy matters will be brought to the earliest possible full council, with the target of December 2021's meeting. The report will lay out all motions which should be voted on individually for acceptance or any minor modifications. Such changes must not seek to alter the fundamental principles previously passed."*

2.2 As a result the motions on notice from the predecessor councils, Daventry District Council, Northampton Borough Council, Northamptonshire County Council and South Northamptonshire Council were considered by this Committee at its meeting in September 2021. The Committee noted that there were a significant number of diverse motions some of which were no longer applicable and some from different councils were on similar topics but different. Some are Executive matters which should be decided by Cabinet. It was therefore not possible for the committee to agree to these motions without further consideration.

The Committee resolved:

"that the Democracy and Standards Committee:

- a) Notes the carried motions from the previous six years from the predecessor councils: Daventry District Council, Northampton Borough Council, Northamptonshire County Council and South Northamptonshire Council.
- b) Forwards the collated motions, as attached at Appendix A, to the relevant Overview and Scrutiny Committees for comment.
- c) Recommends that the Council publishes motion updates annually on its website in future, to provide members of the public and councillors with the facility to access motions that have been passed at Council meetings, without having to go through the minutes of each meeting."

- 2.3 Each Overview and Scrutiny Committee considered the carried motions from the predecessor Councils in detail. Unfortunately the Scrutiny Committees were unable to come up with a single approach for dealing with motions. This was reported to the Democracy and Standards Committee at its meeting on 16 June 2022. The Committee resolved at its meeting on 16 June 2022 that it would refer consideration for recommendation to the Overview and Scrutiny Committees a single approach to dealing with Motions on Notice to this meeting.
- 2.4 Motions passed at full Council like any other decision require that lawful decisions are taken which consider relevant considerations and follow the correct process for debate and consideration, they do not conflict with each other and they are capable of implementation. The motions cannot therefore be passed on mass. Some of the motions passed by predecessor councils are Executive matters which must be decided by Cabinet not Council. Some of the motions conflict with other motions from a different predecessor council eg all have a selection of motions on climate change which conflict with each other. If the Scrutiny Committees had been able to consider all the motions and decide which were appropriate for reconsideration at Council these motions could have been referred, however time has moved on since the referral to the Scrutiny committees and West Northants now has a number of its own motions which will need to be considered alongside predecessor Council motions.
- 2.5 The Council cannot approve motions on the same topic that has already been decided and the predecessor motions do not transfer under transition regulations therefore each one would need to be individually considered, debated and voted upon. Given the passage of time the work involved in comparing the motions from four (and now five) Councils and deciding which ones should be referred to Council for consideration is significant. It will involve comparing the wording of each motion from each predecessor council and each motion from WNC before deciding on any that might move forward. Members are entitled to bring forward their own motions and predecessor motions can be adopted by this Council by being proposed and seconded by Members of this council. There is a specified time at full Council meetings for motions that can be utilised but this will take up the Council time which is already being used for Council business and new motions at each Council meeting. The time at Council meetings is already being fully utilised by new business.

### **3. Recommendations**

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- 3.1 It is recommended that the Democracy and Standards Committee:
- a) Considers whether it is appropriate to continue with a review of predecessor motions or to leave it to individual groups to decide which motions should be referred for consideration at council meetings.
  - b) Or alternatively to decide on a single approach which can be referred to the Overview and Scrutiny Committees to deal with predecessor motions.

#### **3.2 Reason for Recommendations**

- 3.2.1 The recommendations are a result of the carried motion on notice as detailed in paragraph 2.1.

- 3.2.2 Each Overview and Scrutiny Committee has considered the Motions on Notice in detail but there they have each suggested different method of dealing with these as detailed within paragraph 4.4. Therefore the Standards Committee can decide to allow individual members to bring forward predecessor motions or for a single approach to be recommended to the Overview and Scrutiny Committees, for example, they can choose to undertake scrutiny activity on them or recommend any Motions from the predecessor Councils that they feel should be re-adopted in the usual way.
- 3.2.3 At its meeting in September 2021, the Committee resolved that it recommends that the Council publishes motion updates annually on its website in future, to provide members of the public and councillors with the facility to access motions that have been passed at Council meetings, without having to go through the minutes of each meeting.
- 3.2.4 At its meeting on 16 June 2022, the Democracy and Standards Committee resolved that it would refer consideration for recommendation to the Overview and Scrutiny Committees a single approach to dealing with Motions on Notice to this meeting.

#### **4. Report Background**

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- 4.1 As detailed in paragraph 2.1 above, at the meeting of full Council held on 15 July 2021, the following notice of motion was carried:

*“This council recognises:*

*The importance of motions passed within the previous four authorities in the West Northamptonshire catchment area.*

*That it is crucial to ensure any democratic decisions are retained and flow through into the present day thinking of WNC.*

*That adopting an exercise to preserve the above will not only efficiently capture all approved motions into one report, it also will reaffirm the importance of local democratic decision making.*

*This council resolves:*

- *To instruct the Democracy & Standards Committee to collate any motions passed in the last six years within the previous authorities.*
- *That once collated, these motions will be forwarded to the relevant Scrutiny Committee to pass comment on.*
- *That once this process is completed, a report containing all legacy matters will be brought to the earliest possible full council, with the target of December 2021’s meeting. The report will lay out all motions which should be voted on individually for acceptance or any minor modifications. Such changes must not seek to alter the fundamental principles previously passed.”*



- 4.2 Officers undertook an information gathering exercise to gather the carried motions since June 2015.
- 4.3 As reported to the Democracy and Standards Committee at its September 2021 meeting, other local authorities have published motion updates annually on their websites, which provide members of the public (and councillors) with the facility to access motions that have been passed at Council meetings, without having to go through the minutes of each meeting. The date of the Council meeting at which the motion was considered is recorded, along with the motion and the responsible officers, in addition to an anticipated timeframe for the motion to be completed.
- 4.4 At their meetings in November 2021 Corporate, Place and People Overview and Scrutiny Committees considered the Motions on Notice of the predecessor Councillors and each resolved:

#### **Corporate Overview and Scrutiny Committee**

##### **Resolved:**

(1) That, having given due consideration, the carried motions relevant to the remit of the Corporate Overview and Scrutiny Committee be noted.

#### **Place Overview and Scrutiny Committee**

**Resolved that:** the condensed list of motions, taken from the 'Carried Motions on Notice from the Predecessor Councils', be incorporated in the work programme for West Northants Council's (WNC) Place Overview and Scrutiny Committee.

#### **People Overview and Scrutiny Committee**

**Resolved that:** the People Overview and Scrutiny Committee

a) Agreed that no further action is necessary on those motions within its remit where it has been identified that the matter is already closed, as indicated by notes included in the report.

b) Agreed that the Committee is not in a position to identify that other motions within its remit are closed and therefore recommended that these motions should be considered for re-adoption by Full Council.

- 4.4 Each Overview and Scrutiny Committee recommended different approaches in dealing with the Motions on Notice and the Committee is asked to propose a single approach in dealing with these, such as the Overview and Scrutiny committees can choose to do a piece of work on them or recommend any to Council that it feels should be re-adopted.
- 4.5 At its meeting on 16 June 2022, the Democracy and Standards Committee agreed that it would refer consideration for recommendation to the Overview and Scrutiny Committees a single

approach to dealing with Motions on Notice to this meeting of the Democracy and Standards Committee.

## **5. Issues and Choices**

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- 5.1. Members are asked to consider recommending a single approach for the Overview and Scrutiny Committees in dealing with the Motions on Notice as suggested in paragraph 4.4.

## **6. Implications (including financial implications)**

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### **6.1 Resources and Financial**

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

### **6.2 Legal**

Predecessor motions do not transfer under transition legislation automatically unless those decisions have been implemented. Any motion is a decision of Council. Decisions must comply with the rules in relation to public decision making and be lawfully decided. For example councils must consider relevant considerations in relation to the proposed decision (there must be sufficient information presented to members to make the proposed decision including matters like the cost and impact of the decision); they must not consider irrelevant considerations eg the fact that the motion was passed by a predecessor Council is irrelevant as decision must be made on merit. The council cannot consider the same motion (or substantially the same) as one it has already considered. Motions cannot be passed on mass and must be considered through consideration at a properly constituted meeting of members.

### **6.3 Risk**

There are a number of risks associated with making decisions without proper consideration, or making decisions which conflict with other decisions. Including risk of challenge, uncertainty and/or motions that have already been passed being inadvertently overridden.

### **6.4 Consultation**

- 6.4.1 Consultation has taken place with each of the Scrutiny Committees. The motion was a decision by full Council. There has been no public consultation in relation to these motions.

### **6.5 Consideration by Overview and Scrutiny**

- 6.5.1 The Democracy and Standards Committee forwarded the carried motions on notice to the relevant Overview and Scrutiny Committees. Each Overview and Scrutiny Committee considered these in the autumn 2021 and their recommendations are detailed in paragraph 4.4 above.

### **6.6 Climate Impact**

6.6.1 A number of the motions specifically relate to climate and there are risks that there is a lack of clarity about the Councils commitment to climate promises and actions if there are conflicting motions.

## 6.7 **Community Impact**

6.7.1 A number of the motions specifically relate to communities and there are risks of uncertainty if there are conflicting motions.

## **7 Background Papers**

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Full Council agenda and minutes - 15 July 2021

Democracy and Standards agenda Committee and minutes 30 September 2021

Democracy and Standards Committee agenda and minutes 16 June 2022

Corporate, Place and People Overview and Scrutiny agendas and minutes - 1 November, 15 November, 16 November 2021

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WEST NORTHAMPTONSHIRE COUNCIL  
DEMOCRACY AND STANDARDS COMMITTEE

WORK PROGRAMME 2022/2023

Date of the Democracy and Standards Committee	Topics and Rationale
27 January 2022	<ul style="list-style-type: none"> <li>• <b>Member Development</b> – 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</li> <li>• <b>Statistics – code of Conduct Arrangements – Six monthly update</b> – To provide an update on the number of complaints received and dealt with, in respect of the Code of Member Conduct</li> <li>• <b>Work Programme 2022/2023</b> - To note the work carried out by the Committee in its first year and to propose a work programme for 2022/2023</li> </ul>
31 March 2022	<ul style="list-style-type: none"> <li>• <b>Boundary Review Task and Finish Group</b> - To provide an update on progress of the work of this Task and Finish Group</li> <li>• <b>Mandatory Training for Members</b> - To review mandatory training for Members</li> <li>• <b>National Changes – Ethics and Standards</b> – To provide an update on national changes in respect of Ethics and Standards that may impact on the Council’s arrangements for ethical standards</li> <li>• <b>Work Programme 2022/2023</b> - To review the Work Programme 2022/2023 for the Democracy and Standards Committee</li> </ul>

16 June 2022	<ul style="list-style-type: none"> <li>• <b>Boundary Review Task and Finish Group</b> - To provide an update on progress of the work of this Task and Finish Group</li> <li>• <b>Register of Members' Interests</b> - To provide an update regarding the operation of the Register of Members' Interests 2021/2022</li> <li>• <b>Annual Report of the Democracy and Standards Committee 2021/2022</b> – To consider the draft Annual Report of the Democracy and Standards Committee 2021/2022</li> <li>• <b>Work Programme 2022/2023</b> - To review the Work Programme 2022/2023 for the Democracy and Standards Committee</li> </ul>
28 July 2022	<ul style="list-style-type: none"> <li>• <b>Statistics – code of Conduct Arrangements – Six monthly update</b> – To provide an update on the number of complaints received and dealt with, in respect of the Code of Member Conduct</li> <li>• <b>Member Development</b> – 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</li> <li>• <b>Work Programme 2022/2023</b> - To review the Work Programme 2022/2023 for the Democracy and Standards Committee</li> </ul>
22 September 2022	<ul style="list-style-type: none"> <li>• <b>Mandatory Training for Members</b> - To review mandatory training, including refresher training for Members</li> <li>• <b>Training for Democracy and Standards Committee</b> - to consider any training specific to the Democracy and Standards Committee Members</li> <li>• <b>National Changes – Ethics and Standards</b> – 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)</li> <li>• <b>Work Programme 2022/2023</b> - To review the Work Programme 2022/2023 for the Democracy and Standards Committee</li> </ul>
26 January 2023	<ul style="list-style-type: none"> <li>• <b>Statistics – code of Conduct Arrangements – Annual Review</b> – To provide an update on the number of complaints received and dealt with, in respect of the Code of Member Conduct</li> <li>• <b>Member Development</b> – 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</li> <li>• <b>National Changes – Ethics and Standards</b> – 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)</li> <li>• <b>Work Programme 2023/2024</b> - To propose a work programme for the Committee for 2023/2024</li> </ul>