



Chair (pro tem) NDP Working Party

From: Chair (pro tem) NDP Working Party <chair@ndp.chelveston.org.uk>
Sent: 21 June 2013 13:50
To: 'mommersteeg'; Cllr Melvyn Wooding
Subject: NDP-0023 - Meeting File Note: 2013-06-21 (21st June 2013) 10:30

Requested by: Pieter Mommersteeg

Purpose: This was an informal meeting requested by Pieter with Adrian to discuss general issues relating to the composition and operation of the NDP Working Party. Adrian requested that another member of the Working Party be present in line with the Code of Conduct in the Terms of Reference.

Location: Church House, Caldecott

Attendees: Cllr Adrian Dale
 Cllr Melvyn Wooding
 Pieter Mommersteeg

See also [NDP-0026](#) for response to [NDP-0017](#)

Documents: [NDP-0017](#) Not discussed in the meeting

1. Whilst the meeting was originally requested to discuss Pieter's response to NDP-0017. It was agreed that Pieter would respond to that note separately in writing. There was no further discussion of that document.
2. Adrian agreed to provide references to the guidance that underpins the Terms of Reference for the Working Party.
3. A general discussion then followed on how the working party needed to operate, stressing the need for all residents to have the opportunity to engage in depth with the working party, including detailed discussions outside the format of a formal public meeting.
4. A discussion was also had on the potential scope of the NDP and whether the boundaries should extend beyond the Parish Boundary.
5. No conclusions were reached and no other follow up actions were agreed.

What follows was not discussed in detail at the meeting but is provided here in response to point 2 above.

Background to the formulation of the Terms of Reference

The NDP Working Party is constituted as an Advisory Committee of the Council. The Terms of Reference had been formulated by the Chair and the Clerk of the Parish Council, taking into account that four members are Parish Councillors and hence were governed by the code of conduct and standing orders of the Council. For consistency, it is only reasonable that non-councillor members should abide by the same standards. The Terms of Reference once signed bind the non-Councillor members to the same code of conduct, including the need to declare all interests that might relate to the creation of the NDP.

In the view of the Chair and Clerk (and endorsed by the Parish Council Meeting), anyone with a DPI relating to the NDP should not be appointed as a member of the Working Party. It is certainly true that in Development Control Committee meetings at ENC, a Councillor declaring a DPI is normally wholly excluded from just that portion of the meeting. This ensures that they cannot influence the decision or indeed hear the debate on a particular application. Under normal circumstances, there are sufficient members remaining in the chamber for votes to be taken and the absence of one member has no material impact on that application and is usually unrelated to other applications being considered.

In the view of the Clerk and the Chair excluding a Working Party member from a particular meeting on the grounds of specific DPI would be unworkable. No area of the NDP can be considered in isolation and all decisions on each area have influence on other areas. The loss of one or two members from a meeting could create a potential voting imbalance where different numbers of members were able to vote on different areas of the plan. Depending on the outcome of such votes, aggrieved land owners might then reasonably challenge an outcome especially if another area of the Village had been favoured over their own.

Documenting non-public meetings of the Working Party

The Terms of Reference (NDP-001 – clause 7.5) requires the keeping of file notes for all meetings and the deposit of these notes in the public archive. This is based on the guidelines on page 12 of the “Probity in Planning” document covering the need for officers to make a written note (placed on the public file) of all meetings and telephone conversations relating to pre-application advice. It also requires officers to be present at all meetings between Councillors and applicants. As this is not practical, we took the view that 2 Working Party Members should be present and that a file note be made so that others can see the nature of the meeting.

References:	NDP-0001	Terms of Reference for the NDP Working Party
	NDP-0020	Guidelines on Disclosable Pecuniary Interests (DPI)
	NDP-0021	Seven principles on standards in public life
	NDP-0022	Probity in planning

Cllr Adrian Dale
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