



Chelveston Clerk

From: Chelveston Clerk <clerk@chelveston.org.uk>
Sent: 21 June 2013 23:39
To: 'Jim, Sarah, & Sam Stopps'
Cc: Cllr Adrian Dale
Subject: NDP Declaration

Hi Sarah,

Thanks for your completed form. Unfortunately, this constitutes a Discloseable Pecuniary Interest or DPI (for Land or Property). DPI's were introduced last year and replaced the previous system of personal and prejudicial interests that was in force when you were a Cllr. Unlike the previous system, failure to declare DPI's constitute a criminal matter with a level 5 (currently £5,000) max fine, so you were right to declare this.

The relevant sections are

Any beneficial interest in land which is within the area of the relevant authority.

Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.

Although you are not a Cllr (who would be bound by legislation and the Code of Conduct), section 6.2 of the Terms of Reference impose the same restrictions on the non-Cllr members of the NDP Working Party.

The DPI would prevent you from taking part in the NDP working party in relation to the aspirational site put forward by the landowner from whom you rent the land. In turn this would mean landowner A may be disadvantaged compared to landowner B in respect of the number of NDP working party members considering/voting on their respective potential sites.

It is with some regret therefore that I have had to advise Adrian as the Chair (pro-tem) that your appointment to the NDP working party would create an issue, as I have no doubt you feel passionately about the future of the parish.

Regards, Mark

Mark Hunter PILCM
Clerk to the Parish Council

Chair (pro tem) NDP Working Party

From: Chair (pro tem) NDP Working Party <chair@ndp.chelveston.org.uk>
Sent: 21 June 2013 09:56
To: 'clerk@chelveston.org.uk'
Subject: NDP-0019 - Sarah Stopps - Declaration of interest

Mark,

Sarah's declaration of interest is exactly what clause 6.2 in the Terms of Reference was intended to deal with. Given that you have ruled this interest to be a DPI, I have no alternative but to exclude Sarah from the working party even though it creates an imbalance. I will talk with Sarah and explain the position.

I will seek a replacement candidate if I can but otherwise will accept 4:3 as the councillor:resident ratio.

Given that Sarah's appointment was minuted at the Parish Council meeting, her exclusion due to a declared interest will similarly need to be reported and minuted at the first meeting of the Working Party and then at the Parish Council meeting. Unless you advise otherwise, in my view Sarah's declared interest and your advice must be published.

Regards

Cllr Adrian Dale
 Chair (pro tem) of the NDP Working Party
 Chelveston-cum-Caldecott Parish Council

 EMail: chair@ndp.chelveston.org.uk
 Tel: 01933 622624
 Mobile: 07850 570007
 Paper: 21 Water Lane, Chelveston, Wellingborough, Northants, NN9 6AP, UK

From: Chelveston Clerk [<mailto:clerk@chelveston.org.uk>]
Sent: 21 June 2013 08:07
To: Cllr Adrian Dale
Subject: Sarah Stopps – Declaration of Interest

Private information has been redacted from this correspondence. As Sarah is no longer a member of the working party it will remain confidential.

Hi Adrian,

Sarah has returned her NDP declaration, and has declared that for the last 28 years she & Jim have rented [REDACTED]

The following is relevant -

1. [REDACTED]
2. Sarah's renting of the land would be a DPI (Land & Property) if she was a Cllr.
3. [REDACTED] has declared (via his agent) his adjoining land as an aspirational site [REDACTED]
4. An outside observer might consider [REDACTED] had influence over Sarah by virtue of the renting.

I could simply rule that Sarah couldn't vote on issues relating to [REDACTED] land. However, that would create an imbalance in voting compared to other applicants – i.e. if one applicant lost by one vote compared to another applicant's site because Sarah couldn't vote (regardless of which way she might vote), the losing applicant could argue the process was not a level playing field (so to speak). Similarly it would set a precedent that would make it difficult to exclude other Cllrs/Residents who had declared interests.

My thoughts are therefore to exclude Sarah from the NDP WP. This would mean either you need to find a replacement resident, accept 4:3 Cllrs: Residents, or ask a Cllr to stand down to restore the balance (3:3).

Regards, Mark

Mark Hunter PILCM
Clerk to the Parish Council