

You are requested to attend a meeting of the Standards Committee to be held in The John Meikle Room, The Deane House, Belvedere Road, Taunton on 13 September 2011 at 14:30.

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### **Agenda**

- 1 Apologies.
- 2 Minutes of the meeting of the Standards Committee held on 12 July 2011 (attached).
- 3 Public Question Time.
- 4 Declaration of Interests  
To receive declarations of personal or prejudicial interests, in accordance with the Code of Conduct.
- 5 The future of the Standards Regime - Update on the Localism Bill. Report of the Monitoring Officer.  
Reporting Officer: Tonya Meers
- 6 The Standards Committee Annual Report 2010/2011. A copy of the draft Annual Report is attached for consideration by the Committee. Once approved, it will be submitted to the Corporate Governance Committee for information.  
Reporting Officer: Tonya Meers
- 7 Audit Training and other training events. A verbal report from the Chairman.
- 8 Attendance at Taunton Deane Committee meetings. Report of the independent Members of the Committee.
- 9 News from the Parishes. The Parish Liaison Officer to report.
- 10 Date of next meeting.

The following items are likely to be considered after the exclusion of the press and public because of the likelihood that exempt information would otherwise be disclosed relating to the Clause set out below of Schedule 12A of the Local Government Act 1972.

- 11 Update on complaints made against Councillors under the Local Assessment Framework. Report of the Monitoring Officer. Clause 2 - Information which would reveal the identity of an individual.

Reporting Officer: Tonya Meers

Tonya Meers  
Legal and Democratic Services Manager

13 April 2012

Members of the public are welcome to attend the meeting and listen to the discussions.

There is time set aside at the beginning of most meetings to allow the public to ask questions.

Speaking under “Public Question Time” is limited to 4 minutes per person in an overall period of 15 minutes. The Committee Administrator will keep a close watch on the time and the Chairman will be responsible for ensuring the time permitted does not overrun. The speaker will be allowed to address the Committee once only and will not be allowed to participate further in any debate.

If a member of the public wishes to address the Committee on any matter appearing on the agenda, the Chairman will normally permit this to occur when that item is reached and before the Councillors begin to debate the item.

This is more usual at meetings of the Council’s Planning Committee and details of the “rules” which apply at these meetings can be found in the leaflet “Having Your Say on Planning Applications”. A copy can be obtained free of charge from the Planning Reception Desk at The Deane House or by contacting the telephone number or e-mail address below.

If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group.

These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room.

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Lift access to the John Meikle Room and the other Committee Rooms on the first floor of The Deane House, is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available off the landing directly outside the Committee Rooms.



An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.

**For further information about the meeting, please contact Democratic Services on 01823 356382 or email [d.durham@tauntondeane.gov.uk](mailto:d.durham@tauntondeane.gov.uk)**

**Standards Committee Members:-**

Councillor J Allgrove

Mr T Bowditch

Councillor S Brooks

Mr A Cottrell

Mr H Davenport

Mrs A Elder

Councillor E Gaines

Mr D Macey

Mr M Marshall

Mr L Rogers

Mr R Symons

Mr B Wilson

## **Standards Committee – 12 July 2011**

Minutes of a meeting of the Standards Committee held in the John Meikle Room, The Deane House, Belvedere Road, Taunton on Tuesday, 25 July 2011 at 2.30 p.m.

Present: Councillors Mrs Allgrove and Gaines  
Mr T Bowditch, Mrs A Elder, Mr L Rogers, Mr R Symons and Mr B Wilson

Officers: Mrs T Meers (Monitoring Officer), Mr D Greig (Parish Liaison Officer) and  
Mr R Bryant (Democratic Services Manager)

### **69. Appointment of Chairman**

**Resolved** that Mrs Anne Elder be appointed Chairman of the Standards Committee for the remainder of the Municipal Year.

### **70. Appointment of Vice-Chairman**

**Resolved** that Mr Alan Cottrell be appointed Vice-Chairman of the Standards Committee for the remainder of the Municipal Year.

### **71. Apologies**

Councillor Brooks, Mr A Cottrell, Mr H Davenport, Mr D Macey and Mr M Marshall.

### **72. Mr Maurice Stanbury**

The Chairman announced that Mr Maurice Stanbury had resigned from the Standards Committee. He had been a Member of the Committee since its inception over 10 years ago and had served as Vice-Chairman for several years

The Committee agreed that a letter be sent to Mr Stanbury thanking him for his valuable service.

### **73. Welcome**

The Chairman welcomed Councillor Eddie Gaines to his first meeting of the Committee.

### **74. Minutes**

The minutes of the previous meeting of the Committee held on 25 January 2011 were taken as read and were signed.

### **75. Declaration of Interests**

The Chairman, Anne Elder, declared personal interests as a Public Governor

of the Taunton and Somerset NHS Trust and as a Member of the House Management Committee of one of the premises operated by the Royal Agricultural Benevolent Institution. Councillor Mrs Allgrove declared a personal interest as a Member of the Somerset Association of Local Councils.

## **76. The future of the Standards Regime**

The Monitoring Officer, Tonya Meers, reported on the progress of the Government's Localism Bill the contents of which, if brought into law, could have a considerable impact on the Standards regime currently operated by Councils in England.

The Bill was currently being debated by the House of Lords against a clear background that many Councils wished to retain a Code of Conduct for both Members and officers.

If the current Code of Conduct was to be abolished, it was likely that the Local Government Association or the Association of Council Secretaries and Solicitors (ACSES) would draft a replacement which individual Councils could adopt.

As far as the six Councils in Somerset were concerned, all wished to retain a Code of Conduct and their Standards Committees. Councillor Williams, as Leader of Taunton Deane, had also indicated that he was very supportive of the work undertaken by the Committee in the past and hoped this would be able to continue in the future.

Mrs Meers also reported that apart from the original sanction of Councillors being prosecuted for misbehaviour in the Localism Bill, there had been no indication that a range of lesser sanctions would be available to Councils who opted to continue with a Code of Conduct.

It was likely that the Localism Bill would pass through the House of Lords during mid-September 2011 to coincide with the next scheduled meeting of the Committee. Mrs Meers hoped to bring a further, more detailed, update to this meeting.

During the discussion of this item the following points were made:-

- What was likely to happen to the Parish Councils who were currently subject to the Code of Conduct?
- It would be odd if Taunton Deane retained a Standards Committee which had no jurisdiction over the Parishes;
- Any Code in the future which applied to Parish Councils needed to include measures to protect the independence of Clerks; and
- Would it be helpful if the Chairmen and Clerks of Parish Councils met up on an annual basis to discuss matters relating to the Code of Conduct?

The Parish Liaison Officer, David Greig confirmed that such meetings had been held in the past but, due to low attendances, the decision was taken to stop convening them. It had been also agreed at that time that the provision of training on the Code of Conduct or discussions relating to it would be more effective if they were provided “at source” – at Parish Council meetings.

Mr Greig added that if there was an overwhelming demand for Chairman and Clerk meetings to be revived, this could be arranged in the future.

**Resolved** that the update provided on the Localism Bill be noted.

## **77. Budget Review Project**

Mrs Meers reported that the Council was facing an unprecedented 40% cut in its funding over the next four years.

Although it was hoped that the reduction in funding would be partly mitigated by the introduction of further efficiency measures and by increasing income generation, it was inevitable that the services now provided by the Council would be severely affected.

Stage 1 of the Budget Review process had recently been completed. This sought to look at all the options open to the Council to address the predicament Council’s across the country were facing. Many of the options that had been proposed had come from staff consultation meetings where various proposals to achieve savings had been floated.

All of these options had been included in a Budget Review Pack which would be issued to all Councillors for consideration. The options would be fully considered through the political groups, Scrutiny and the Executive to establish which of the options should be recommended for implementation. Ultimately, it would be for Full Council to decide if these options should be pursued.

The Committee noted that a review of Taunton Deane’s Senior Management Structure was also taking place alongside the Budget Review. In addition, even though it was unlikely the Council would seek to renegotiate its contract with Southwest One, it would be looking for further savings to be made from it.

Members appreciated that a 40% cut in funding would have a serious affect on non-statutory services and staff numbers where a reduction in some services would be required to maintain a certain standard in others.

It was also recognised that the Standards Committee would have a role to play over the forthcoming months to ensure that both Councillors and officers adhered to the Code of Conduct.

**Resolved** that the report be noted.

## **78. Attendance at Taunton Deane Committee Meetings**

The Chairman reported that since the last meeting in January 2011, she had attended all meetings of the Planning Committee and Full Council as the independent representative from the Standards Committee. She had also attended several meetings of the Executive too.

She reported that she had observed one or two minor issues which could have resulted in complaints being lodged but had sought to resolve matters by having a “quiet word” with the individuals concerned.

Although Terry Bowditch reported that he had attended a meeting of the Corporate Scrutiny Committee in February, it was clear that other Council meetings had not been visited by the other independent Members.

The Democratic Service Manager, Richard Bryant, reported that he would ask the Vice-Chairman to re-circulate the list he had prepared of the Committees and those who had volunteered to attend future meetings.

With regard to Planning Committee meetings, it was felt that members of the public sometimes did not behave too well, sometimes making accusations against officers who then found it very difficult to respond.

**Resolved** that the report be noted.

## **79. Code of Conduct Training**

Mrs Meers reported that all new Taunton Deane Councillors, who had been elected at the beginning of May 2011, had received training in respect of the Code of Conduct as part of the induction process.

Mr Greig reported that all new Parish Councillors had been sent a copy of the Code of Conduct (the “Brown Book”) and he had conducted one formal training session at Bishops Lydeard and Cothelstone Parish Council. This training session had been offered to all the other Parishes too.

The situation was slightly awkward as most Parish Councils were aware that the current Standards regime might change as a result of the Localism Bill and were therefore awaiting developments before committing to further training.

However, Mr Greig added that this did not mean that the new Parish Councillors would remain untrained. Many would have signed up for the general training offered by the Somerset Association of Local Councils which would include references to the Code of Conduct.

In his contact with the Parish Councils, Mr Greig had also requested that new Councillors should complete their individual entries on the Register of Interests.



**Resolved** that the report be noted.

**80. Raising the profile of the Standards Committee**

Councillor Gaines wondered whether the role of the Standards Committee could be promoted via Community Radio. Interviews could be taped and perhaps used as a future training aid.

Members felt that this was an idea worth pursuing once the future of the current Standards regime was decided.

**81. Date of next meeting**

The next meeting would be held on Tuesday, 13 September 2011 at 2.30 p.m. in The John Meikle Room at The Deane House.

**82. Exclusion of the Press and Public**

**Resolved** that the press and public be excluded from the meeting for the following items because of the likelihood that exempt information would otherwise be disclosed relating to Clause 2 of Schedule 12A to the Local Government Act 1972 and the public interest in withholding the information outweighed the public interest in disclosing the information to the public.

**83. Update on complaints made against Councillors**

Mrs Meers reported that a new complaint had recently been received against a Taunton Deane Councillor. This complaint would be investigated in due course.

She also reported that Taunton Deane received only one complaint during the whole of 2010/2011. This compared very favourably with the numbers of complaints received by the other five Somerset authorities during the same period.

**Resolved** that the report be noted.

(The meeting ended at 3.21 p.m.)

# Taunton Deane Borough Council

## Standards Committee – Annual Report 2010/2011

### 1. Introduction

- 1.1 The Council's Standards Committee has been in operation since 2000. Although our meetings are open to the public and the minutes are available on the website, we feel it is good practice to produce an annual report so that Councillors and the public are made fully aware of our activities.
- 1.2 In the past our reports have sought to cover only a complete year (say 2009) whereas from now on it is intended to report on periods covered by financial years – between 1 April and 31 March (or just beyond!).

### 2. Membership

- 2.1 Membership of the Committee still stands at 13 Members comprising seven independent Members, three Parish Council representatives and a Councillor from each of the two main political groups which form the Taunton Deane Borough Council, together with one further Councillor representing the Labour and Independent Groups.
- 2.2 We have always ensured that the Committee has a majority of independent Members. We have also always ensured that the Chairman is chosen from those independent Members. Although this is now a requirement of all Standards Committees, it is something we have been practising since the Committee's inception.
- 2.3 Anne Elder was re-appointed Chairman of the Standards Committee in June 2010 with Peter Malim OBE appointed as Vice-Chairman.
- 2.4 Within a month of his appointment, Peter had to sadly resign from the Committee. He had been co-opted onto his local Parish Council at Stogursey and, despite the fact that this was in the Sedgemoor District rather than Taunton Deane, it was decreed by Standards for England that his membership of a Parish Council meant he could not continue to serve on this Council's Standards Committee.
- 2.5 Alan Cottrell was subsequently appointed Vice-Chairman.
- 2.6 The vacancy, following Peter's departure, was advertised and Terry Bowditch was appointed to the Committee. Until his retirement in 2009, Mr Bowditch worked for the Audit Commission dealing with the Councils in Somerset and was a familiar face at meetings of Taunton Deane's Corporate Governance Committee.

- 2.7 Unfortunately, our full complement of seven independent Members on the Committee did not last very long.
- 2.8 Maurice Stanbury who had been a Member of the Committee since its inception over 10 years ago and had served as Vice-Chairman for several years, confirmed his intention to stand down and did so in May 2011.
- 2.9 Our thanks go to Maurice for his extensive contribution to the work of the Committee over the years. His experience and wisdom will be greatly missed. A replacement for him on the Committee is currently being sought.
- 2.10 It is pleasing to report that after many months, the vacancy for an additional Parish representative on the Committee was filled by Henry Davenport who is a Member of the Bishops Lydeard and Cothelstone Parish Council.
- 2.11 The full membership of the Committee is as follows:-

Anne Elder (Chairman)  
Alan Cottrell (Vice-Chairman)  
Terry Bowditch  
Dick Macey JP  
W Lynn Rogers  
Robert Symons  
One vacancy

Parish representatives:-  
Henry Davenport  
Mike Marshall  
David Wilson

Council representatives:-  
Councillor Mrs Allgrove  
Councillor Brooks  
Councillor Gaines.

- 2.12 Officer support is provided by Tonya Meers (Monitoring Officer) and Richard Bryant (Democratic Services Manager) and David Greig (Parish Liaison Officer).

### **3. Terms of Reference**

- 3.1 The Committee's terms of reference remain unchanged, as follows:-
- (a) To advise on the adoption and monitoring of the local Code of Conduct for all Members within the Authority (Borough, Town and Parish Councillors);

- (b) To be responsible for training of all Councillors within the Authority on ethical conduct; and
- (c) To promote and maintain high standards of conduct in the Authority and assist the Authority's Members to observe the Code of Conduct.

#### **4. Functions of the Committee**

4.1 In accordance with Section 54 of the Local Government Act 2000, the Committee is responsible for:-

- Promoting and maintaining high standards of conduct by Councillors and co-opted Members;
- Assisting the Councillors and co-opted Members to follow the Code of Conduct;
- Advising the Council on the adoption or revision of the Code of Conduct;
- Monitoring the effectiveness of the Code of Conduct;
- Training or arranging to train Councillors and any co-opted Members on matters relating to the Code of Conduct;
- Assessing and reviewing complaints about Members;
- Conducting Determinations' Hearings;
- Granting dispensations to Councillors and any co-opted Members with prejudicial interests; and
- Granting exemptions for politically restricted posts.

### **Review of the Year**

#### **5. The future of the Standards Regime**

5.1 The big news of the year arose following the General Election in June 2010.

5.2 Having taken office, the new Coalition Government decided to carry out its pre-election threat of reviewing the Quangos that operated throughout England and Wales.

- 5.3 One of the early casualties was Standards for England, the national body which had been responsible for implementing the Code of Conduct for Councillors and putting in place the Local Assessment Framework which gave Councils like Taunton Deane the ability to investigate complaints against both its Councillors and Parish Councillors within the district.
- 5.4 Alongside the abolition of Standards for England, the Coalition Government published its Localism Bill which amongst a whole host of proposals sought to sweep away both the Code of Conduct and Standards Committees.
- 5.5 The Bill sought to replace the sanctions which can currently be imposed against a Councillor who has been found to have breached the Code of Conduct with a means of issuing prosecution proceedings in respect of activities such as not declaring prejudicial interests.
- 5.6 In view of the outraged public reaction to the “expenses scandal” of certain Members of Parliament, it was more than a little surprising that the Coalition Government was so keen to dismantle something that, over the years, had kept the behaviour of Councillors “in check”.
- 5.7 The unfortunate affect of the Government’s actions was to create a situation where Standards Committees felt that they were unable to operate fully – like being “in limbo” – waiting for the proposals in the Localism Bill to either be brought into effect or not.
- 5.8 For several months, this was the case at Taunton Deane and, as a result two scheduled meetings of the Standards Committee were cancelled. However, once it was realised that the progress of the Localism Bill through Parliament was likely to take many months the Committee took the decision that it was still very much in existence and it was agreed to continue “business as usual” for the foreseeable future.
- 5.9 Early indications from across the country are that many Councils value the Code of Conduct and wish to retain their Standards Committees with suitable sanctions to deal with breaches of the Code. Whether Parliament will pay heed to this groundswell of opinion, time will tell.

## **6. The Standards Committee**

- 6.1 The full Committee has met on only five occasions during the year, for the reasons outlined in section 5 above.
- 6.2 The operation of the Local Assessment Framework (considered in detail in the next section) has meant meetings of the Assessment and Consideration and Hearing Sub-Committees having to be held to deal

with complaints against Councillors. In 2010/2011 a total of five sub-committee meetings have had to be arranged.

6.3 There have been a wide variety of topics considered by Members over the past 12 months at each main meeting. These have included:-

- (1) The Member Officer Protocol;
- (2) Guidance on Personal and Prejudicial Interests;
- (3) Dispensation to Members of West Monkton Parish Council;
- (4) Performance Indicators for the Committee;
- (5) Audit Reports into the Register of Interests for Members and the Register of Interests for Staff;
- (6) The future of the Local Standards Framework;
- (7) A Protocol for Local Authority Partnership Working; and
- (8) Regular update reports on the progress being made with complaints received against Councillors.

6.4 With regard to item (4), the development of Performance Indicators was something in last year's report which was a priority issue. The good news is that the Performance Indicators (a copy of which is appended to this report) were finally agreed by the Committee in June 2010. The bad news is that with the demise of Standards for England and the uncertainty surrounding the future of the Code of Conduct, quite a few of the Indicators will need re-drafting once we know what the future holds!

## **7. Local Assessment Framework**

7.1 The introduction of the Local Assessment Framework in May 2008 significantly changed the way in which the Committee now operates.

7.2 The Standards Committee (England) Regulations 2008 require Committees to deal with complaints made against both Borough Councillors and Parish Councillors.

7.3 Such complaints have to be assessed, investigated (where appropriate), with the findings then considered to establish if the Code of Conduct has been breached and whether a formal hearing into the complaint should be held.

7.4 The Standards Committee was also given a range of sanctions which it could impose on a Councillor who was found to have breached the Code.

7.5 As reported previously, a framework for dealing with complaints has been put in place and to ensure complaints are dealt with in a timely fashion, an accompanying flowchart with agreed deadlines has been developed by the Committee.

7.6 The bulk of the work involved in investigating complaints normally falls on the independent Members of the Committee who have to make up

two thirds of the sub-committees which have been formed to deal with the various complaint stages.

- 7.7 During 2010/2011, the Committee received a total of **three** complaints compared with the five which were received between January 2009 and March 2010. All of these complaints were made in respect of Borough Councillors.
- 7.8 All three were initially considered by an Assessment Sub-Committee comprising independent Members and an elected Councillor. Two of the complaints were referred for investigation by an external investigator.
- 7.9 Currently, one of the complaints is still being investigated and another is awaiting a response from the subject Councillor as to a possible course of action to resolve the complaint.
- 7.10 After a very detailed investigation, the third complaint was brought before a Consideration Sub-Committee meeting towards the end of January 2011. The Sub-Committee again comprised two independent Members and a Councillor.
- 7.11 The Sub-Committee, having considered the external investigator's report, decided that no breach of the Code of Conduct had occurred and the complaint was not therefore upheld.
- 7.12 In the last Annual Report it was considered that the low number of complaints received by the Council was due in the main to Councillors knowing and respecting their obligations under the Code of Conduct. This appears still to be the case reflected by the receipt of only three complaints throughout the past 12 month period.
- 7.13 An update on the progress of all complaints is reported to every meeting of the full Standards Committee. As well as monitoring performance, the details provided also enable Members to identify any particular trends emerging.
- 7.14 There is no escaping the fact that potentially the Local Assessment Framework could take considerable time and effort to ensure it is operated properly and the procedures are followed exactly.
- 7.15 Thankfully, the level of complaint in Taunton Deane has continued to be low. However, other authorities have not been so fortunate and dealing with a far higher level of complaints has inevitably led to far more time and costs having to be devoted to the matter.

## **8. Working with the Town and Parish Councils**

- 8.1 The Committee has continued to develop and strengthen our links with the Town and Parish Councils during the year. This is something we

have always aspired to and we consider we have made further progress in this area.

- 8.2 Following the introduction of the new Code of Conduct in 2007, the Committee set out to inform all Parish Councils that standards and the ethics and probity regime were there for the protection of both the Clerk and the Councillors themselves. We also wanted to make all Parish Councils aware of the advice and support we were able to give them.
- 8.3 This has been largely achieved through training sessions which have been delivered to every Parish Council by David Greig, our Parish Liaison Officer.
- 8.4 Follow-up training has been on offer to “mop up” those Parish Councillors who were unable to attend the initial training session and plans were put in place by David to ensure new Parish Councillors elected at the Local Elections in May 2011 were made aware of the importance of the Code of Conduct.
- 8.5 The delivery of the training has proved to be highly successful with no complaints again being received against Parish Councillors in Taunton Deane during 2010/2011.
- 8.6 Our future relationship with the Town and Parish Councils will depend entirely on the outcome of the Localism Bill. As mentioned earlier, the original proposals outlined by the Government call for the abolition of the Code of Conduct which currently applies to all Councillors in England, including Parish Councillors.
- 8.7 It remains to be seen if a national Code of Conduct will be retained. If not, it is possible that local Codes might be introduced or ones that could be adopted by District Councils. However, there might not be any requirement for the Parishes to remain bound by a Code of Conduct unless it was thought appropriate to do so.

## **9. Raising the profile of the Standards Committee**

- 9.1 The Committee has continued its efforts to raise its profile within Taunton Deane.
- 9.2 Invitations were sent to the Group Leaders at the start of the year to attend meetings of the Standards Committee to address Members and answer any questions on matters within the Committee’s remit.
- 9.3 It is pleasing to report that the Leader of the Council, Councillor John Williams, has attended the Committee on two occasions and sought to re-assure Members that most of the Councillors welcomed the role carried out by the Standards Committee and the pragmatic way in which it operated.



- 9.4 Councillor Williams also felt that it was important that a Code of Conduct for Councillors should exist and reassured Members of the Committee that there would be one whilst he remained as Leader of the Council.
- 9.5 The independent Members have continued to make further appearances at many of the formal meetings of the Council aimed at raising the profile of the Committee in the minds of Councillors.
- 9.6 Attendance has given those observing a further opportunity to gain an appreciation of the workings of the Council and its Committees and to see at first hand how Councillors deal with matters on which they have to declare an interest.
- 9.7 At some stage in the future, it is possible that the Committee will wish to re-instate the "goodwill" visits to Parish Councils which were received so well a couple of years ago. However, this is unlikely to occur until we know what the Localism Bill is finally going to contain.
- 9.8 Last year, the Committee felt there was scope to develop our presence on the Taunton Deane website. This has now been addressed with far more informative pages, access to the Annual Report and pictures of the Members of the Committee!!

## **10. Training**

- 10.1 The Committee continues to be conscious of the need for its own Members to be as well trained and as up to date with developments as possible.
- 10.2 Unfortunately, the hiatus caused by the dismantling of Standards for England and the introduction of the Localism Bill has seriously affected the opportunities for Members of the Committee to attend relevant training courses on matters relating to Standards.
- 10.3 This situation is likely to prevail for some time yet until certainty as to the future of the current Standards Regime returns.
- 10.4 Training has been equally important in relation to our Borough Councillors since the introduction of the Code of Conduct. Ethics and probity training sessions have continued to be offered at least on an annual basis and a special session will be made available to our newly elected Councillors as part of their induction process. Independent Members have been involved with the Monitoring Officer in the delivery of these sessions.
- 10.5 The success of this training has been illustrated by the number of enquiries that have been forthcoming from Members and the eagerness to declare interests at meetings.

## **11. Looking Ahead**

- 11.1 The constant thread through this Annual Report is the uncertainty that surrounds the current Standards Regime which, in the main, has been accepted as something worthwhile by the majority of Taunton Deane's Borough and Parish Councillors.
- 11.2 Looking ahead too far is therefore a particularly hard thing to do bearing in mind the position of flux we are currently in.
- 11.3 One thing is certain however, that in the foreseeable future, Taunton Deane's Standards Committee will continue to operate as before to the best of our abilities. Any complaints against Councillors will also continue to be dealt with in accordance with the agreed procedures.

## **12. Resources**

- 12.1 Although the Committee's duties have been undertaken to an acceptable level, there is only so much that can be achieved within the limited resources available to the Committee.
- 12.2 In an attempt to spread the workload, Members themselves have again taken on various tasks during 2010/2011 to support the officers serving the Committee which has been gratefully accepted.

## **13. Conclusion**

- 13.1 Taunton Deane has a Standards Committee that is committed to promoting high standards amongst Councillors both at Borough and Parish levels. For the time being, we will continue to look at ways in which we, as a Committee, can improve and serve both the Council and the community by delivering an effective service.

Anne Elder  
Chairman,  
Taunton Deane Standards Committee

September 2011

Objective	Indicator	Target	How/why measured?	Achieved? Yes/No?
<b>Good Governance practices</b>				
	Adherence to the Standards for England Guidelines for the operation of the Committee.	To make sure the Committee is operating in accordance with the latest guidelines.	Annual assessment against the guidelines.	
	Training of Members of the Committee to maintain full awareness of latest Code of Conduct requirements and Standards for England guidance.	<ul style="list-style-type: none"> <li>(1) Keeping Members informed of the latest information, for example the Standards for England newsletters;</li> <li>(2) Provision of Member training into the new Code of Conduct or other relevant guidance/information;</li> <li>(3) Feedback from external training events to be submitted to the next scheduled meeting of the Standards Committee to ensure other Members are able to share newly acquired information/ideas.</li> </ul>	To ensure the knowledge of Members on matters relating to Standards is kept up to date.	

Objective	Indicator	Target	How/why measured?	Achieved? Yes/No?
<b>Training and the promotion of high ethical standards</b>				
	Training for all new Borough Councillors and Clerks to Parish Councils.	90% to receive suitable training on the Code of Conduct within three months of election and 100% within six months.	By keeping an accurate training record.	
	Training for all new Parish Councillors.	100% to receive suitable training on the Code of Conduct within twelve months of election.	By keeping an accurate training record.	
	Provision of refresher Code of Conduct training, as appropriate, for existing Members of Councils in Taunton Deane.	Refresher training to be arranged on an annual basis to ensure Members are fully aware of the Code of Conduct.	By keeping an accurate training record.	
<b>Awareness Raising</b>				
	Taunton Deane Committee meetings to be attended by independent Standards	To raise awareness of the work of the Standards Committee with Members of the Council.	Attendance log to be kept.	

Objective	Indicator	Target	How/why measured?	Achieved? Yes/No?
	Committee Members.			
	Meetings with Group Leaders and Chief Executive.	To provide Members of the Committee with the opportunity to meet and discuss issues with the political Group Leaders and the Chief Executive on at least an annual basis.		
	Parish Council meetings attended by Independent Standards Committee Members	To raise awareness of the work of the Standards Committee with Members of the Parish Councils in Taunton Deane.	Attendance log to be kept.	
	Evidence of Member awareness of Code of Conduct	To ensure Members of the Council are fully aware of the Code of Conduct and its implications.	By way of the Ethical Governance Questionnaire.	
	Number of complaints made against Members of the Borough and Parish Councils resulting in adverse publicity.	No more than two incidents in total against Borough or Parish Council Members.	Reference to the complaints spreadsheet presented to each meeting of the Standards Committee.	

Objective	Indicator	Target	How/why measured?	Achieved? Yes/No?
<b>Efficiency</b>				
	Compliance with the timescales set out in the protocol established to deal with complaints received against Councillors.	All complaints to be dealt with within protocol timescales.	Reference to the complaints spreadsheet presented to each meeting of the Standards Committee.	
	Ensure recommendations made by the Standards Committee are included in the Corporate Improvement Plan with the aim of their adoption by the Council.	Adoption of recommendations within a reasonable timescale. (It is recognised that the timescale will vary depending on the nature of specific recommendations.)  It also needs to be noted that the adoption of recommendations is outside the direct control of the Standards Committee.	To ensure properly made recommendations have been considered and, where appropriate, adopted by the Council.	

## **Standards Committee – 13 September 2011**

Minutes of a meeting of the Standards Committee held in the John Meikle Room, The Deane House, Belvedere Road, Taunton on Tuesday 13 September 2011 at 2.30 pm.

Present: Mrs A Elder (Chairman)  
Mr A Cottrell (Vice-Chairman)  
Councillors Mrs Allgrove, Brooks and Gaines  
Mr H Davenport, Mr D Macey, Mr M Marshall and Mr L Rogers.

Officers: Mrs T Meers (Monitoring Officer) and Mrs G Croucher (Democratic Services Officer).

Also Present: Councillor Horsley and Mr A Cox.

### **84. Welcome**

The Chairman welcomed Mr A Cox to the meeting as an observer.

### **85. Apologies**

Mr T Bowditch and Mr B Wilson.

### **86. Minutes**

The minutes of the previous meeting of the Committee held on 12 July 2011 were taken as read and were signed.

### **87. Declaration of Interests**

The Chairman, Anne Elder, declared personal interests as a Public Governor of the Taunton and Somerset NHS Trust and as a Member of the House Management Committee of one of the premises operated by the Royal Agricultural Benevolent Institution. Councillor Mrs Allgrove declared a personal interest as a Member of the Somerset Association of Local Councils. Councillor Brooks declared a personal interest as a Member of Somerset County Council.

### **88. Business requiring to be dealt with as a matter of urgency**

The Chairman reported that she had agreed that the item covered by Minute No 89 below should be dealt with as an urgent matter.

### **89. Protocol for the disclosure of Confidential Information**

The Monitoring Officer, Mrs Meers, reported that a number of breaches of the Code of Conduct in respect of disclosing confidential information had been reported to the Standards Committee in recent years and a recent leak to the press was currently being investigated.

The Committee considered a draft protocol and it was proposed this should be adopted to assist Members in understanding the issues surrounding confidential information and the circumstances in which any such information could be released.

**Resolved** that:-

1. The Protocol for Disclosure of Confidential Information be adopted; and
2. The Protocol be sent to all Parish Councillors as guidance.

#### **90. The future of the Standards Regime**

Mrs Meers reported on the progress of the Government's Localism Bill the contents of which, if brought into law, could have a considerable impact on the Standards regime currently operated by Councils in England.

The Bill was currently passing through the House of Lords and it was expected that Councils would retain a Code of Conduct and Standards Committees. It was expected that Members would need to register pecuniary interests rather than personal or prejudicial as at present.

However, there was currently no further information on the range of sanctions that would be available to Councils and Mrs Meers hoped to bring a further, more detailed, update to the next meeting of the Committee.

**Resolved** that the update provided on the Localism Bill be noted.

#### **91. Draft Annual Report of the Standards Committee**

Submitted a draft Annual Report of the Committee for consideration. It was agreed that the draft Annual Report be submitted to the Council's Corporate Governance Committee.

**Resolved** that the report be noted.

#### **92. Audit Training and other Training Events**

The Chairman reported that she had recently attended a number of training events including the Audit Training.

She found the training sessions to be valuable and recommended that all Councillors should attend.

Members considered that Parish Councillors should also be invited to attend any future training sessions.



**93. Attendance at Taunton Deane Committee Meetings**

The Chairman reported that since the last meeting in July 2011, she had attended all meetings of the Planning Committee and Full Council as the independent representative from the Standards Committee.

It was considered that this was very useful in raising the profile of the Standards Committee.

**94. News from the Parishes**

The Chairman reported that the Parish Liaison Officer, Mr David Greig, was currently unwell. The Committee sent Mr Greig their best wishes for a speedy recovery.

It was agreed to reinstate attendance by the independent Members of the Standards Committee at future Parish Council meetings. A letter would be sent to the Chairmen of the Parish Councils asking for confirmation of meeting dates

**95. Date of next meeting**

The next meeting would be held on Wednesday 7 December 2011 at 2.30 pm in the John Meikle Room at The Deane House.

**96. Exclusion of the Press and Public**

**Resolved** that the press and public be excluded from the meeting for the following items because of the likelihood that exempt information would otherwise be disclosed relating to Clause 2 of Schedule 12A to the Local Government Act 1972 and the public interest in withholding the information outweighed the public interest in disclosing the information to the public.

**97. Update on complaints made against Councillors**

Mrs Meers reported that a new complaint had recently been received against a Taunton Deane Councillor. An investigator had been appointed to look into the complaint.

**Resolved** that the report be noted.

(The meeting ended at 3.50 pm.)