

Standards Committee – 15 January 2008

Minutes of a meeting of the Standards Committee held in Committee Room 2, The Deane House, Belvedere Road, Taunton on Tuesday 15 January 2008 at 2.15 pm

Present: Mr D Baker (Chairman)
Councillors Mrs Allgrove, House and Slattery
Mrs A Elder, Mrs J Hoyle, Mr H Inder, Mr W L Rogers, Mr M Stanbury and
Mr D Wilson

Officers: Mr R Bryant (Democratic Support Manager), Mrs D Durham (Democratic Services Officer), Mr G P Dyke (Democratic Services Manager), Mrs A Forester (PA to the Monitoring Officer), Mr D Greig (Parish Liaison Officer) and Mr J J Thornberry (Monitoring Officer)

1. Apologies

Mr D Macey and Mr M Marshall

2. Minutes

The minutes of the previous meeting of the Committee held on 23 October 2007 were taken as read and were signed.

3. Declarations of Interest

Councillor Mrs Allgrove declared a personal interest as Chair of the Somerset Association of Local Councils

4. Draft Annual Report of the Standards Committee

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

RESOLVED that the report be noted.

5. Orders and Regulations relating to the conduct of Local Authority Members in England

Submitted the consultation document which had been provided by the Department for Communities and Local Government (DCLG). A draft response would be produced and would be submitted before 15 February 2008.

Resolved that comments be forwarded to the Democratic Services Manager for submission to the DCLG.

6. Local Determination/Filter

Reported that the role of the Standards Committee would be changing from April 2008 when local regulation of standards would be introduced. Previously all complaints and allegations in relation to the conduct of councillors went direct to the Standards Board for England. It was now proposed to change this system so that in most cases, allegations, complaints, investigations and hearings were all carried out locally. This meant that a protocol would need to be developed for the implementation of filtering committees, investigations and hearings.

The Standards Committee had three distinct roles:

- (i) Exercising the local filter;
- (ii) Reviewing the local filter if necessary (appeal); and
- (iii) Holding a hearing following an independent investigation.

The Committee felt that rather than appoint members to the various Panels, a large pool of members would offer more flexibility and could be recruited when they were required. However, it was felt that the Chairman of such Panels should be an Independent member of the Committee and Councillors on the Committee should not be involved in investigations within their Ward.

RESOLVED that:

- (i) A broad framework for dealing with the initial filter of complaints and allegations be drafted;
- (ii) A procedure for local filtering be drafted (including a criteria for accepting or dismissing complaints and allegations);
- (iii) A flexible approach be taken for recruiting members on the necessary Panels for dealing with the initial filter, reviews of filter decisions and the hearing of complaints referred by the filter panel;
- (iv) A criteria be established for dealing with requests for a review;
- (v) A media protocol be established;
- (vi) A local complaints form be produced; and
- (vii) Target dates for filtering and reviews be produced.

7. Protocol for declarations of prejudicial interest

The new Code of Conduct allowed Councillors the right to speak at meetings of the Planning Committee and Parish Council meetings where they may have had a prejudicial interest in a particular planning application.

Members had been concerned to ensure that credibility was maintained when application of this nature were under consideration. It also wanted to ensure that members of the public understood the new procedure and were aware of what was happening.

A protocol had been prepared that was already in use by the Planning Committee. Details of the script that was read out by the Chairman at the beginning of every meeting was submitted.

Councillors and Parish Councillors would be required to declare the nature of their personal or prejudicial interest. The Committee felt that a letter detailing the new protocol should be sent to all Councillors.

The Parish Liaison Officer would monitor Parish Council agendas and suggest changes to the Clerks to ensure that Declaration of Interests formed part of the agenda.

RESOLVED that a letter detailing the new protocol be sent to all Councillors.

8. Code of Conduct Training for Parish Councils and Parish Matters

The Parish Liaison Officer submitted details of the Parish Councils that had recently received Ethics and Probity training. Only six Parish Councils were yet to receive the training and dates would be circulated to members of the committee when known.

This had proved a very worthwhile exercise and was an excellent way of ensuring as many parish councillors as possible received first hand training in standards and the Code of Conduct.

RESOLVED that the report be noted.

9. Performance Indicators

Reported that the Chairman, together with the Monitoring Officer and the Democratic Services Manager had drawn up a list of performance targets and indicators which would help in the measurement of the work of the Committee. Details of the proposed targets were submitted. The aim was to have the targets in place by the beginning of April 2008.

The Chairman reported that he would be standing down as Chairman with effect from 31 March 2008. The committee felt that expressions of interest should be sent to the Democratic Services Manager with a short resume and the election of Chairman be added to the agenda for the next meeting. He also asked the Monitoring Officer to report the following changes:

The Monitoring Officer and the Democratic Services Manager would be taking early retirement with effect from 31 March 2008. The role of Monitoring Officer would become the responsibility of the Legal and Democratic Services Manager. Although the post of Democratic Services Manager would be obsolete, he would be staying on to oversee the new Filtering System.

The committee paid tribute to the contribution that both the Monitoring Officer and Democratic Services Manager had made to the Standards Committee and thanked them for their help and assistance.

RESOLVED that further work be carried out on the proposed targets and indicators and the results be submitted to the next meeting.

10. Ethics and Probity

The Monitoring Officer provided his regular briefing on matters that had come to his attention since the last meeting.

A decision had been received from the Standards Board regarding an allegation that had been against a member of a Parish Council. The Standards Board had investigated the case and it was dismissed.

The Parish Liaison Officer will suggest that the Parish Council concerned draw up a protocol for dealing with planning applications.

The Chairman felt that the Standards Committee website could be improved and advice on ethics and probity could be included.

RESOLVED that the report be noted.

11. Training Day – 31 January 2008

The Democratic Services Manager reported details of a Standards Committee training day that was to be held at County Hall on 31 January 2008 and would include the Local Filtering System and Declaration of Interests.

12. Date of the next meeting

The next meeting would be on Tuesday 11 March 2008 at 2.15pm in the Principal Committee Room at The Deane House.

(The meeting ended at 3.53pm)