

Standards Committee – 16 April 2008

Minutes of a meeting of the Standards Committee held in Committee Room 2, The Deane House, Belvedere Road, Taunton on Tuesday 16 April 2008 at 2.15 pm

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

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

Also present: Councillor Stuart-Thorn

13. Apologies

Mrs J Hoyle and Mr D Macey.

14. Appointment of Chairman

Following the decision of Mr David Baker to step down from the Standards Committee, it was **resolved** that Mrs Anne Elder be appointed Chairman of the Committee.

Mrs Elder paid tribute to Mr Baker's past work as Chairman and, on behalf of the Committee, wished him well for the future.

15. Appointment of Vice-Chairman

Resolved that Mr Maurice Stanbury be appointed as Vice-Chairman of the Standards Committee

16. Minutes

The minutes of the previous meeting of the Committee held on 15 January 2008 were taken as read and were signed.

17. Declarations of Interest

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

18. Response to the Department of Communities and Local Government Consultation Paper

Reference Minute No 5/2008, submitted for the information of the Committee the responses made on behalf of the Standards Committee by the previous Democratic Services Manager (Greg Dyke), to the Department of Communities and Local Government on the Orders and Regulations relating to the Conduct of Local Authority Members in England.

Resolved that the report be noted.

19. Hatch Beauchamp Parish Council

Considered report previously circulated, concerning a letter sent to the Standards Board for England by a resident of Hatch Beauchamp seeking clarification as to whether a particular Parish Councillor should have declared an interest at a meeting he had attended. The matter related to a proposed Affordable Housing development in the village where the Parish Councillor concerned owned land adjacent to the site.

The Standards Board had treated the letter as a formal complaint and had referred it for local investigation/determination.

In the meantime however, a further Parish Council meeting had been held at which the Parish Liaison Officer (David Greig) had filled a longstanding commitment to deliver some ethical standards training to the Parish Council. The subject of the Affordable Housing site was again raised during the meeting and Mr Greig was asked for advice as to the possibility of the Parish Councillor having an interest. As a result of this advice, the Parish Councillor the subject of the original letter declared a prejudicial interest.

The resident subsequently wrote to the Standards Board to confirm that he had only been seeking advice from them and that he had not made a formal complaint. He had also said that as a result of the "second" Parish Council meeting he did not wish the Standards Board to pursue the "complaint" any further.

The Standards Board responded by stating that the statutory procedure for the reference of such complaints did not provide the facility for a complainant to withdraw.

In the circumstances, the former Chairman of the Standards Committee and the former Monitoring Officer (Jeremy Thornberry) had agreed that no action should be taken against the Parish Councillor concerned.

Resolved that the decision taken by the former Monitoring Officer, in consultation with the former Chairman, be agreed.

20. Standards Committee Annual Report

Reported that the Committee's Annual Report had been submitted to the Council's Corporate Governance Committee on 17 March 2008 where it had

been received by Members. No amendments to the report were considered necessary.

The Committee congratulated Mr Baker on the quality of this report.

21. Training Day, County Hall – 31 January 2008

Reported that those who had attended the Training Day had found it to be very informative. The workshops in particular were testing with every question having a range of differing answers.

The Chairman congratulated the Somerset County Council for organising such a useful event.

22. Guidance for Standards Committees and Monitoring Officers

Reported that at the last meeting of the Committee, Members had asked for guidance as to their future role when the new Regulations relating to local determination were introduced.

At the time, it was anticipated that the new Regulations would be introduced with effect from 1 April 2008, with the Standards Board for England providing guidance on the new regime.

Unfortunately, the Regulations had still not been introduced. However, the new Monitoring Officer (Tonya Meers) had obtained copies of the draft guidance which was submitted for the information of the Committee.

Although the drafts had no official status, it was fairly safe to predict that they would form the basis of the official guidance when it was released probably in early May 2008. Consequently, the draft guidance gave Members a good idea as to the different roles they would have to play in the future.

As well as copies of the draft guidance, Mrs Meers circulated a flow chart which outlined a procedure which could be followed to decide whether there should be an investigation. Various draft letters and notices were also provided.

It was hoped that the Regulations and the appropriate Guidance would be available by the time the Committee was next due to meet.

22. Complaint against a Borough Councillor

Mrs Meers brought to the attention of the Committee the fact that a formal complaint had been received about the behaviour of one of Taunton Deane's Councillors.

Even though the case had been reported through the local media, Mrs Meers was firmly of the view that as the Councillor concerned had not been acting in

his official capacity as a Member, there was no specific action for the Committee to take.

After due consideration, the Committee agreed that a letter should be sent to the Councillor informing him that a complaint in respect of his behaviour had been received; that there was no formal action the Standards Committee could take in the circumstances; but to remind the Councillor of the ten Principles of Public Life which should be taken fully into account in the future.

It was also agreed that a letter setting out the reason why action could not be taken should also be sent to the complainant. Both letters to be signed by the Chairman.

23. Date of the next meeting

The next meeting would be on Tuesday, 10 June 2008 at 2.15pm in the Committee Room No 2 at The Deane House.

(The meeting ended at 3.21 p.m.)