

Standards Committee – 8 June 2010

Minutes of a meeting of the Standards Committee held in the John Meikle Room, The Deane House, Belvedere Road, Taunton on Tuesday, 8 June 2010 at 2.30 p.m.

Present: Councillors Mrs Allgrove, Brooks and House
Mrs A Elder, Mr D Macey, Mr P Malim OBE, Mr M Marshall, Mr L Rogers,
Mr M Stanbury and Mr B Wilson

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

Also present : Councillor Williams

29. Appointment of Chairman

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

30. Appointment of Vice-Chairman

Resolved that Mr Peter Malim OBE be appointed Vice-Chairman of the Standards Committee for the remainder of the Municipal Year.

31. Apologies

Mr A Cottrell and Mr R Symons.

32. Minutes

The minutes of the previous meeting of the Committee held on 14 April 2010 were taken as read and were signed.

33. Declaration of Interests

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

34. Standards and Taunton Deane Borough Council

The Chairman welcomed the Leader of the Council, Councillor John Williams, to the meeting.

Councillor Williams thanked the Committee for the invitation to attend and for the work it did, which he considered was a real benefit to the authority.

Councillor Mrs Allgrove asked whether any guidance had yet been received from Central Office in connection with the abolition of Standards for England.

Councillor Williams reported that it was perhaps too early to expect guidance to have been issued. In his view though, with the Government being keen to pursue a "Localism" agenda, it would not be a surprise for a Code of Conduct for District and Parish Councillors to remain and local Standards Committees continuing with their existing roles.

Maurice Stanbury stated that Councillor Williams's view as to the value of the Standards Committee was not perhaps shared by other Councillors judging by the poor response to the Ethical Governance Questionnaire.

Councillor Williams re-assured the Committee that most Councillors welcomed the role carried out by the Standards Committee and the pragmatic way it operated. He was unaware of any general feeling of antipathy and felt that if the questionnaire was to be circulated again a far better response would be received.

Councillor Brooks confirmed that there was little apathy towards the Standards Committee from the Liberal Democrat Group and suggested that often Members did not feel the need to respond to things like the questionnaire if they were generally content with the way in which the Committee operated.

Before leaving the meeting, Councillor Williams added that he knew that the Parish Councils within his Ward were very grateful for the Code of Conduct training they had received from the Parish Liaison Officer and appreciated the periodic appearances from the independent Members of the Committee.

On behalf of the Committee, the Chairman thanked Councillor Williams for attending the meeting,

35. Draft Performance Indicators for the Standards Committee

Reference Minute No 19/2010, reported that the comments made by the Committee at its last meeting had been incorporated into the draft Performance Indicators and a revised version was submitted for the information of Members.

It was felt that the target set for the delivery of suitable training to all new Borough and Parish Councillors and Clerks within six months of an election was too ambitious particularly with regard to the Parish Councillors.

After discussion, the Committee decided that the best way forward would be to split the target so that new Borough Councillors and Clerks to Parish Councils all received training within six months of an election and that new Parish Councillors were trained within twelve months of being elected.

Resolved that the amended Performance Indicators, as set out in the Appendix to these Minutes, be adopted by the Committee.

36. Proposed Dispensation to Members of West Monkton Parish Council

Reference Minute No 18/2010, reported that the Monitoring Officer, Tonya Meers, had requested the further information requested by the Committee from the Members of West Monkton Parish Council who were listed in its application for a dispensation.

The dispensation was required in order for the Parish to be able to participate in the Local Development Framework (LDF) planning process as 4000 dwellings had been proposed for Monkton Heathfield which was within the Parish.

Of the five Parish Councillors named in the application, only two had supplied additional information.

The Committee was unhappy with this situation but noted that it could grant a partial dispensation which would at least enable the Parish Council to meet if it was required to consider the development proposals.

It was also noted that with the Local Government and Parish Council elections due to take place in May 2011, it would be appropriate to grant the partial dispensation up to this date. If changes occurred to the membership of West Monkton Parish Council due to the elections, a further dispensation would have to be sought, if this was necessary.

To prevent a similar situation arising in the future, Members agreed that the Dispensation application form should be modified to ensure all relevant information was supplied to enable the Standards Committee to come to its decision without having to refer back to the Parish Council concerned.

Resolved that a partial dispensation in respect of Parish Councillors Barry Gage and Norman Cavill be granted to West Monkton Parish Council; such dispensation to be valid until the end of May 2011.

37. Standards for England

Mrs Meers reported that following the General Election a month ago, the new Government had announced the abolition of Standards for England (SfE) which was likely to occur in April next year.

Until detailed proposals were received from the Government, local authorities such as Taunton Deane could do nothing other than carry on as before. This meant that complaints about Councillors would still have to be dealt with on a local basis for the time being, although Mrs Meers was unsure what would happen if a complaint needed to be referred to a First Tier Tribunal.

She added that it was possible the current powers and duties held by SfE could be transferred to the Local Government Ombudsman but there was currently no indication this was going happen. It was also still possible the anticipated new Code of Conduct for Members would be produced but as to when this was likely to occur was open to suggestion.

The Committee asked Mrs Meers to write to the Minister for Local Government to express concern at the abolition of SfE and to ask for early decisions from the Government so that all Councils knew what was to replace the Standards regime.

38. Ethical Governance Questionnaire

Reference No 20/2010, Mrs Meers reported that following the very poor response received from Councillors to the Ethical Governance Questionnaire, she had been in touch with the Group Leaders to enlist their support.

It was proposed that the questionnaire should be sent again to the 47 Councillors who had not previously replied, this time with encouragement from the Group Leaders to provide the information sought.

The Committee agreed that there was insufficient time to re-submit the questionnaire and collate the responses in time for the Full Council meeting in July 2010. It was therefore decided to await the meeting of Full Council in October 2010 before making the presentation to Taunton Deane's Members.

39. Date of next meeting

The next meeting would be held on Tuesday, 10 August 2010 at 2.30 p.m. in The John Meikle Room at The Deane House.

40. 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.

41. Update on complaints made against Councillors

Mrs Meers circulated a new spreadsheet which outlined the current position relating to complaints that had been received to date against Councillors under the Local Assessment Framework since the start of the year. Only one complaint had been received which related to a Borough Councillor.

The Committee noted that this complaint which related to the disclosure of confidential information had been referred for investigation.

Resolved that the report be noted.

(The meeting ended at 3.45 p.m.)