

Standards Committee – 14 April 2010

Minutes of a meeting of the Standards Committee held in the John Meikle Room, The Deane House, Belvedere Road, Taunton on Wednesday, 14 April 2010 at 2.30 p.m.

Present: Mrs A Elder (Chairman)
Councillors Mrs Allgrove, Brooks and House
Mr A Cottrell, Mr P Malim OBE, Mr L Rogers, Mr R Symons and
Mr B Wilson

Officers: Mrs T Meers (Monitoring Officer) and Mr R Bryant (Democratic Services Manager)

15. Apologies

Mr M Stanbury (Vice-Chairman) and Mr M Marshall.

16. Minutes

The minutes of the previous meeting of the Committee held on 19 January 2010 were taken as read and were signed.

17. 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.

18. Proposed Dispensation to Members of West Monkton Parish Council

Reported that the Members of West Monkton Parish Council had requested a dispensation in order 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.

Noted that the Parish Council's views would be sought in connection with this major residential development. However, more than 50% of the Members of the Parish Council would have a prejudicial interest in this area due to financial reasons.

The Local Government Act 2000 provided that where more than 50% of Members had a prejudicial interest, the Standards Committee could grant a dispensation to the Members concerned in order to allow them to be able to participate in the planning process.

During the discussion of this item, the Committee felt that the application submitted by the Parish Council was not detailed enough and that the

Monitoring Officer, Tonya Meers, should be requested to ask the Parish Council for further information.

Resolved that consideration of the application be deferred to allow additional information to be sought from West Monkton Parish Council as to its application for a dispensation.

19. Draft Performance Indicators for the Standards Committee

Submitted for consideration a paper which set out a number of draft indicators against which the performance of the Standards Committee could be measured.

The indicators had been drafted by the Vice-Chairman (Maurice Stanbury), Peter Malim and the Democratic Services Manager, Richard Bryant.

Although generally welcomed, several comments were received as to the wording of some of the indicators and the high targets proposed.

It was agreed that some further work should be undertaken on the draft indicators prior to them being re-submitted to the Committee for approval.

20. Ethical Governance Questionnaire

Mrs Meers reported the headline results from the recent Ethical Governance Questionnaire which had been circulated to all 56 Councillors and the Council's Corporate Management Team, Leads and Senior Managers.

Disappointingly, only 35 completed questionnaires had been received – of which 9 had come from Councillors.

Despite this, an analysis of the responses had been undertaken which had revealed that further training in relation to Health and Safety and Equalities and Diversity was needed and that further clarification as to what constituted both personal and prejudicial interests should be provided.

In addition, the responses from the Councillors had indicated a degree of apathy towards the Code of Conduct and Standards.

Mrs Meers reported that she would follow up the questionnaire with a series of workshops aimed at the Councillors to be facilitated either by the Improvement and Development Agency (IDeA) or the Audit Commission.

Members of the Committee expressed concern at the low level of response from the Councillors and wondered whether they could be given a further opportunity to respond, perhaps with the full backing of the political Group Leaders. Mrs Meers confirmed that this would be done.

21. Standards Committee Annual Report 2009

Submitted for information the final version of the Standards Committee's Annual Report for 2009.

The Chairman reported that she had presented the report to the Council's Corporate Governance Committee on 15 March 2010. She had been reassured at the level of interest in the work of the Committee and had answered a number of questions from Councillors at the meeting.

Members agreed that the Annual Report should now be included on Taunton Deane's website and that, at the suggestion of Councillors Mrs Allgrove and Brooks, it should be placed on the agenda of the Full Council meeting scheduled for 13 July 2010. In addition, it was suggested that the Annual Report should be circulated to all Parish Councils for information.

22. Annual Return to Standards for England

Mrs Meers submitted for information and comment the Council's proposed response to Standards for England's Annual Return which comprised a series of questions under the following headings:-

- Communication;
- Influence;
- Training and Support;
- Investigations; and
- Parish/Town Councils.

Members of the Committee suggested various additions/amendments to the Annual Return which Mrs Meers confirmed would be included in the document.

23. Raising the Profile of the Standards Committee

It was suggested that the following matters should be added to the Committee's Forward Plan for future discussion:-

- Looking ahead to the Local Government Elections 2011 – To ensure that the need for high ethical standards was included in literature produced by the Council; and
- A possible Member Induction for the Parishes.

24. Attendance at meetings by the independent Members

Mr Bryant reported that since the Autumn of last year, independent Members of the Committee had attended all of the principal meetings of the Council on at least one occasion.

The Committee felt that as the new Code of Conduct was unlikely to be issued for several months, it was now important to re-instate the visits by the independent Members to Parish Councils. It was hoped the Parish Liaison

Officer, David Greig, would again produce a table of the Parishes and the dates when visits would be undertaken and by whom.

25. Date of next meeting

The next meeting would be held on Wednesday, 8 June 2010 at 2.30 p.m. in The John Meikle Room at The Deane House.

It was agreed that the content of the presentation the Committee wished to make to the Council in respect of the Ethical Governance Toolkit questionnaire (Minute Nos. 58/2009 and 20/2010 refer) would be discussed at this meeting.

26. 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.

27. Update on complaints made against Councillors

Mrs Meers circulated an updated spreadsheet which outlined the current position relating to complaints that had been received to date against Councillors under the Local Assessment Framework. A total of nine complaints had been received, all which related to Borough Councillors.

The Committee noted that all complaints had been concluded, the last of which related to the disclosure of confidential information.

Mrs Meers explained that this complaint had been referred for investigation by an outside investigator who had recommended that the case should be re-assessed, in the light of further information which had not been available to the original Sub-Committee.

This process had led to the decision that no further action should be taken in respect of the complaint. However, the Assessment Sub-Committee had also made a series of recommendations, which were currently being acted upon, relating to Councillors being reminded of their obligations in relation to confidential information and to ensuring that authors of reports were fully aware of the type of information which should be classified as 'confidential'.

Resolved that the report be noted.

28. Other Matter

Peter Malim enquired again whether the discussion had yet taken place as to how recommendations from the Standards Committee or its sub-committees could be formally made to the Council.

Mrs Meers informed the Committee that a formal process had been put in place whereby such recommendations would be included on the Council's Corporate Action Plan, which was regularly monitored by the Corporate Governance Committee to ensure suitable actions were taken.

(The meeting ended at 4.05 p.m.)