

Standards Committee – 22 May 2012

Minutes of a meeting of the Standards Committee held in the John Meikle Room, The Deane House, Belvedere Road, Taunton on Tuesday, 22 May 2012 at 2.30 p.m.

Present: Councillors Mrs Allgrove, Brooks and Gaines
Mr T Bowditch, Mr A Cox, Mrs A Elder, Mr M Marshall, Mr L Rogers 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

19. Appointment of Chairman

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

20. Appointment of Vice-Chairman

Resolved that Mr Terry Bowditch be appointed Vice-Chairman of the Standards Committee for the remainder of the Municipal Year.

21. Apologies

Mr H Davenport, Mr D Macey and Mr R Symons.

22. Minutes

The minutes of the previous meeting of the Committee held on 12 April 2012 were taken as read and were signed.

23. 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 Vice-Chairman of the Somerset Association of Local Councils. Councillor Brooks declared a personal interest as a Member of Somerset County Council.

24. The Localism Act 2011 - The amended Standards Regime

(a) Submitted for the information of Members the response that had been received from Bob Neill MP, the Parliamentary Under Secretary of State, in

the Department of Communities and Local Government to the letter written on behalf of the Committee by the Monitoring Officer, Tonya Meers. A further letter which had been sent to the Rt Hon Eric Pickles MP, the Secretary of State was also circulated.

The response from Bob Neill MP was unfortunately not at all clear in connection with arrangements for appointing an Independent Person. Mrs Meers felt that the long awaited Regulations should provide clarification on this issue.

In terms of when these Regulations would be to hand, Mrs Meers was aware that they were currently with Ministers and were likely to be issued imminently.

Lynn Rogers reported back on a meeting he had had with Jeremy Browne MP. He stressed that he had sought this meeting not as a representative of the Committee but as a private individual.

The MP had quickly understood the implications of the new Standards regime and, as a result had promised to write to the Secretary of State and Greg Clark MP.

Mr Rogers undertook to keep the Committee informed as to what further replies were received.

(b) Mrs Meers presented the proposed new Code of Conduct to Members. She pointed out the new addition to the Code concerning pre-determination and bias. The seven principles of public life had also been appended.

During the discussion of this item, the following comments were made:-

- Why was the word “Authority” used throughout the new Code? If “Council” was used instead, the Code could be offered to Parish Councils too;
- Should paragraph 3.3 of the Code refer to the Planning and Licensing Committees too? *Paragraphs 3.1 and 3.2 would apply to these Committee, whereas paragraph 3.3 applies to Members of the Executive and the Scrutiny Committees;*
- Why were only two specific officers mentioned in paragraph 1.3? *These were the Council’s Statutory Officers;*
- Somerset County Council had already approved the membership of its Standards Committee which was now politically balanced. Would this create difficulties for the District Councils? *Confirmation of the arrangements made by the County Council would be confirmed. It was felt that it would be preferable for all the Somerset Councils to act together ;*
- Would any of the complaints in the past have been dealt with differently under this revised Code? *If anything, the new code would have ‘tightened’ things further;*
- Was there a need for reference to the “control of modern methods of communication” to be referred to in the Code to, for example, prevent

cyber-bullying? *This could be considered for future guidance purposes. Also, care would need to be taken about the use of social media in a Member's own time;*

- Was the Council still working towards a 1 July 2012 timetable? *Yes, although it was likely the Government would introduce transitional arrangements to allow the new arrangements to come into affect probably three months after 1 July;*
- Was the appointment of an Independent Person going to happen, or not? *The transitional arrangements would allow the Council to retain its current independent Members for the time being. However, there was still doubt as to what type of Committee the Council would be permitted to retain in the longer term and clarification would be sought about this before the next meeting of the Committee.*

Councillor Williams, as Leader of the Council, reported that the apparent lack of clarity and decisiveness surrounding the new Standards regime was a concern to him. He felt that a delayed implementation to ensure things were right was preferable than introducing something that was unsatisfactory.

He added that he wanted to see a sensible Code of Conduct put in place which was likely to be supported by most Councillors.

Resolved that:-

- (1) The report be noted; and
- (2) The draft Code of Conduct be supported.

25. Date of next meeting

The next meeting would be held on Tuesday, 10 July 2012 at 2.30 p.m. in The John Meikle Room at The Deane House.

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 reported that the additional information had now been received in respect of the one outstanding complain against a Parish Councillor and that it looked likely that no further action would be necessary.

Mrs Meers also reported that a further complaint against another Parish Councillor had recently been received. An Assessment Sub-Committee would be arranged to consider the grounds of complaint submitted.

Resolved that the report be noted.

(The meeting ended at 3.41 p.m.)