

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the STANDARDS COMMITTEE held in Meeting Room 1, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Thursday, 1 July 2004.

PRESENT: Councillors Mrs B E Boddington, P J Downes, Mrs K P Gregory, A Hansard, I R Muir and J Taylor.

Messrs D H Bristow, D L Hall, D MacPherson, and G Watkins

APOLOGIES: Apologies for absence from the meeting were received from Councillor J A P Eddy and Mr D Pattisson

1. ELECTION OF CHAIRMAN

Pending consideration of the business recorded in Minute No 6 post, it was

RESOLVED

that Councillor A Hansard be elected Chairman of the Committee for the duration of the meeting.

2. MINUTES

Subject to the replacement of the word "an" with "in" in the eighth line of paragraph four of Minute No. 23, the Minutes of the meeting of the Committee held on 24th March 2004 were approved as a correct record and signed by the Chairman.

3. APPOINTMENT OF VICE-CHAIRMAN

RESOLVED

that the Item be deferred pending consideration of the business recorded in Minute No. 6 post.

4. APPOINTMENT OF INDEPENDENT MEMBERS AND TOWN AND PARISH COUNCIL REPRESENTATIVES

The Committee noted that the Council had agreed that Messrs D H Bristow, D L Hall and D Pattisson should serve as Independent Members of the Committee for a four year term of Office expiring in April 2007 and that Council also had endorsed the appointment of Messrs G Watkins and D MacPherson as representatives of the Town and Parish Councils in Huntingdonshire on the Committee for the ensuing Municipal Year.

5. GOVERNANCE ISSUES

Further to Minute No. 23, Members considered a report by the Head of Administration (a copy of which is appended in the Minute Book) regarding proposed changes to the terms of reference of the Committee following an exercise undertaken to determine the appropriate location of governance and financial responsibilities within the Constitution.

Members were advised that were the proposal to be adopted, the Committee would no longer oversee the Council's constitutional arrangements and that any newly created Panel would be appointed in accordance with the principles of proportionality. Given the potential for the workload of the Committee to increase with the introduction of Regulations for the local investigation and determination of complaints for breach of the Members Code of Conduct and in view of recent legislative change which had highlighted the requirement for the creation of a separate body to deal with the issues of audit, governance and finance, the Committee

RECOMMENDED

- (a) that a Corporate Governance Panel be established with the terms of reference listed in paragraph 4.1 of the report now submitted;
- (b) that the Panel comprise seven Members including a minimum of one and a maximum of three Members of the Cabinet;
- (c) that the terms of reference for the Standards Committee be amended to omit those other duties allocated to it which do not relate to the Members Code of Conduct as listed on page 28 of the Council's Constitution; and
- (d) that Article 4 of the Constitution relating to the full Council be amended to delete the reference in paragraph 1(b) in relation to the Council Tax Base and to insert a reference to the control of the Council's investments.

6. CHAIRMANSHIP OF THE COMMITTEE

Further to Minute No. 23 and following a request by Council at its meeting on 7th April 2004, the Committee reconsidered a proposal to appoint an Independent Member to act as its Chairman in the light of information obtained from 23 other local authorities and presented in a report by the Director of Central Services and Monitoring Officer (a copy of which is appended in the Minute Book).

Having considered the conclusions drawn from the response received from those authorities whose Standards Committees were chaired by an independent person in terms of reporting practices, payment of allowances and day to day arrangements for supporting the Committee, Members still were strongly of the view that the concept

of independence was essential to their work and that their previous recommendation in respect of Chairmanship of the Committee should be reaffirmed. Therefore, they

RECOMMENDED

- (a) that on the understanding that an individual is willing to undertake the position, an Independent Member be invited to chair the Standards Committee with effect from the commencement of the Municipal Year 2004/5;
- (b) that the Independent Remuneration Panel be requested to consider the payment of a separate co-optees allowance to the Independent Member who becomes Chairman of the Standards Committee; and
- (c) that the District Council's Constitution be amended to reflect that the Chairman of the Committee, or in his absence the Vice-Chairman, irrespective of whether that person is an elected Member, should present the report of the Committee at Council meetings.

7. APPOINTMENT OF VICE-CHAIRMAN

In the light of the resolution contained in Minute No 6 ante, it was

RESOLVED

that Councillor A Hansard be appointed Vice-Chairman of the Committee for the remainder of the Municipal Year.

8. MODEL CODE OF CONDUCT - STANDARDS BOARD NOTIFICATIONS

(Councillors A Hansard and Mrs K P Gregory declared a personal and prejudicial interest respectively in the following item by virtue of their relationship to and involvement in the cases referred to in the Standards Board notifications and left the meeting for the duration of the discussion thereon).

In the absence of the Vice-Chairman, Councillor Mrs B E Boddington was elected Chairman of the Committee for the duration of discussion on the following item.

Councillor Mrs B E Boddington in the Chair

By reference to a report by the Director of Central Services and Monitoring Officer (a copy of which is appended in the Minute Book) the Committee noted that the Standards Board for England had decided not to take any further action in relation to allegations made against one District Councillor for alleged election irregularities and in relation to allegations made against eight Members of the Development Control Panel and four Ramsey Town Councillors. The Committee noted, however, that the Board had referred to an Ethical Standards Officer a complaint made against a District Councillor in respect of use of PC and associated equipment issued for Council business use.

Councillor A Hansard in the Chair

9. STANDARDS - CURRENT ISSUES

A report by the Democratic Services Manager was submitted (a copy of which is appended in the Minute Book) updating the Committee on the current position with regard to the Local Authorities (Code of Conduct) (Local Determination) (Amendments) Regulations 2003 and seeking confirmation of those Members wishing to attend the third Annual Assembly of Standards Committees.

Whereupon, it was

RESOLVED

that Councillors Mrs B E Boddington and A Hansard, a representative of the Opposition Group and Messrs D Bristow and D MacPherson be nominated to attend the third Annual Assembly of Standards Committees Conference in Birmingham on 13th and 14th September 2004.

10. DATES OF FUTURE MEETINGS

It was noted that the Committee had been scheduled to meet on 16th September and 9th December 2004 and 10th March 2005.

11. APPLICATIONS FOR DISPENSATION

(The Chairman announced that he proposed to admit the following item as a matter of urgency in accordance with Section 100 b (4)(b) of the Local Government Act 1972 in view of the requirement to deal expeditiously with an application received from St Ives Town Council so as not to prejudice the business of the Norris Museum and Library.)

The Committee were acquainted, via a report by the Director of Central Services and Monitoring Officer (a copy of which is appended in the Minute Book) with an application received from St Ives Town Council for dispensations to allow sixteen Members of that Council to speak and vote at meetings of the Town Council or at any of its Committees on matters relating to the Norris Library and Museum Charity on which they act as trustees.

The Committee was disappointed to hear that no reply had been received from the Local Government Association, the Charity Commission and the Office of the Deputy Prime Minister on the question as to whether it was prudent for all Members of a local Council to act as trustees to a community facility and Members requested the Monitoring Officer to take further steps to elicit a response.

Having regard to the advice of the Monitoring Officer, the Committee

RESOLVED

that dispensation to speak and to vote be granted to sixteen

Members of St Ives Town Council for the period ending 30th
April 2008.

Chairman