

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the STANDARDS COMMITTEE held in the Cabinet Room. Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Thursday, 9 March 2006.

PRESENT: Councillor D H Bristow - Chairman
Councillors P J Downes, J A P Eddy,
Mrs K P Gregory, I R Muir, T D Sanderson
and J Taylor.

Messrs D L Hall, D Macpherson and
G Watkins.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillor Mrs B E Boddington and D Patisson

25. MINUTES

The Minutes of the meeting held on 8th December 2005 were approved as a correct record and signed by the Chairman.

26. MEMBERS' INTERESTS

None were declared.

27. STANDARDS OF CONDUCT IN ENGLISH LOCAL GOVERNMENT: THE FUTURE - DISCUSSION PAPER

Further to Minute No. 5, the Committee considered a report by the Director of Central Services and Monitoring Officer (a copy of which is appended in the Minute Book) summarising the content of a discussion paper published by the Office of the Deputy Prime Minister (ODPM) entitled "Standards of Conduct in English Local Government: The Future". The consultation paper contained the Government's view on the future of the conduct regime for local government and provided a co-ordinated response to the recommendations of the Graham and Select Committees enquiries and Standards Board.

In general, Members welcomed the content of the consultation paper and acknowledged that it had addressed several areas of concern highlighted in their original response to the consultation undertaken by the Board on the review of the Code of Conduct. Referring to proposed changes to the definition of "personal interest" and variations in the practices for the declaration of a "prejudicial interest", the Committee recognised that all Members would require further training and there was a view that such training should be obligatory for Councillors and Parish Clerks. There also was some uncertainty regarding the use of the phrase "unlawful conduct" which could refer to either a criminal or a civil offence.

In respect of the suggestion that Standards Committees should assume from the Standards Board responsibility for initial assessment of most allegations, a Member expressed concern that this approach undermined the independence of the current complaints process and could result in the loss of consistency and objectivity exposing issues arising from complaints to personal and local influences.

The Committee were concerned at the additional resources required to respond to a regime where Standards Committees would assess and determine complaints with Monitoring Officers undertaking most investigations particularly given the other pressures currently prevailing on local government. Whilst expressing their interest in joint working and co-operation with other authorities to share the burden of investigations, the Committee recognised that a series of principles would require to be established before such arrangements could be implemented.

Having noted which of the issues highlighted would require primary or secondary legislation and the estimated timetable for implementation, the Committee

RESOLVED

that the Director of Central Services and Monitoring Officer be authorised to convey to the Office of the Deputy Prime Minister the comments raised by the Committee on the content of the Government Consultation Paper "Standards of Conduct in English Local Government".

28. CODE OF CONDUCT - STANDARDS BOARD NOTIFICATION

Pursuant to Item No. 21, the Committee received and noted a report by the Director of Central Services and Monitoring Officer (a copy of which is appended in the Minute Book) regarding the decision of the Standards Board for England not to take any further action in relation to an allegation made against a Councillor serving on Earith Parish Council.

29. REVIEW OF CASE SUMMARIES

Following the interest expressed by the Committee in reviewing case examples drawn from the Standards Board for England, Members considered a report by the Director of Central Services and Monitoring Officer (a copy of which is appended in the Minute Book) which related to cases involving a breach of the Code of Conduct and the appointment of Parish Councillors to Trusts.

Having welcomed the opportunity to review various points illustrated and having indicated their wish to receive case summaries to future meetings, the Committee

RESOLVED

that the details of the cases presented be noted.

30. APPLICATION(S) FOR DISPENSATION

The Director of Central Services and Monitoring Officer reported that he had received an e-mail from the Parish Clerk to Grafham Parish Council requesting dispensation for five Members of the Parish Council in order that they might continue to participate in meetings of the Council when issues arose relating to traffic calming measures in Grafham village.

After discussion of the various options available to the Parish Council and in view of the information available to them regarding the various interests held by the Councillors concerned, the Committee

RESOLVED

that the request for dispensation on behalf of five Members of Grafham Parish Council be not granted.

31. CURRENT ISSUES

A report by the Director of Central Services and Monitoring Officer was received and noted (a copy of which is appended in the Minute Book) updating Members on a variety of matters relating to the work of the Committee including the availability of new guidance on the Code of Conduct and a revised referral criteria for local investigations.

A discussion ensued on the arrangements which might be made to train Councillors and Parish Clerks on changes to the Code of Conduct and principally on the areas of personal and prejudicial interests and the difficulties still experienced by some parishes in relation to their understanding of the Code.

Having been advised that an easy guide to the Code of Conduct now was available for issue to new clerks and that training for new Councillors and Parish Clerks would take place after the elections in May, the Director of Central Services and Monitoring Officer undertook to consider re-issuing advice to Parish Clerks regarding the placing of text relating to the declaration of Members' interests as a standard item on Parish Council agenda.

32. NEXT MEETING

It was noted that the next meeting of the Committee would be held on Thursday 6th July 2006 at 4.00pm.

33. DVD

In view of the lateness of the hour, it was agreed to postpone, until the next meeting, the showing of the DVD prepared by the Standards Board for England on local investigations and the conduct of local hearings.

Chairman