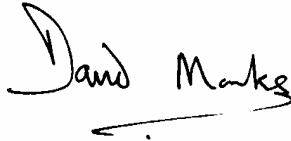


A meeting of the **STANDARDS COMMITTEE** will be held in **MEETING ROOM 1, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON, PE29 3TN** on **THURSDAY, 14 SEPTEMBER 2006** at **4:00 PM** and you are requested to attend for the transaction of the following business:-

APOLOGIES

- | | Contact |
|--|-----------------------------|
| <p>1. MINUTES (Pages 1 - 6)</p> <p>To approve as a correct record the Minutes of the meeting held on 24th July 2006.</p> | C. Deller
388007 |
| <p>2. MEMBERS' INTERESTS</p> <p>To receive from Members declarations as to personal and/or prejudicial interests and the nature of those interests in relation to any Agenda Item. Please see Notes 1 and 2 below).</p> | |
| <p>3. CODE OF CONDUCT - STANDARDS BOARD NOTIFICATIONS (Pages 7 - 8)</p> <p>To consider a report by the Director of Central Services and Monitoring Officer regarding notifications received from the Standards Board for England on decisions made in respect of allegations of misconduct by two District Councillors and by Members serving on Ramsey Town Council.</p> | C. Deller
388007 |
| <p>4. TRAINING - ROUND-UP (Pages 9 - 12)</p> <p>To consider a report by the Director of Central Services and Monitoring Officer.</p> | C. Deller
388007 |
| <p>5. A NEW APPROACH - LOCAL INVESTIGATIONS (Pages 13 - 18)</p> <p>To note a report by the Director of Central Services and Monitoring Officer regarding the Board's new approach to monitoring the progress of local investigations.</p> | C.Deller
388007 |
| <p>6. NEXT MEETING</p> <p>To note that the next ordinary meeting of the Committee would be held on Thursday 7th December 2006 at 4.00pm.</p> | |
| <p>7. DVD</p> <p>To view a DVD prepared by the Standards Board for England on Local Investigations and the Conduct of Local Hearings (approximate length 33 minutes).</p> | |

Dated this 5 day of September 2006



Chief Executive

Notes

1. *A personal interest exists where a decision on a matter would affect to a greater extent than other people in the District –*
 - (a) *the well-being, financial position, employment or business of the Councillor, a partner, relatives or close friends;*
 - (b) *a body employing those persons, any firm in which they are a partner and any company of which they are directors;*
 - (c) *any corporate body in which those persons have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or*
 - (d) *the Councillor's registerable financial and other interests.*
2. *A personal interest becomes a prejudicial interest where a member of the public (who has knowledge of the circumstances) would reasonably regard the Member's personal interest as being so significant that it is likely to prejudice the Councillor's judgement of the public interest.*

Please contact Ms C Deller, Democratic Services Manager, Tel No 01480 388007/e-mail: Christine.Deller@huntsdc.gov. if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Committee/Panel.

Specific enquiries with regard to items on the Agenda should be directed towards the Contact Officer.

Members of the public are welcome to attend this meeting as observers except during consideration of confidential or exempt items of business.

Agenda and enclosures can be viewed on the District Council's website – www.huntingdonshire.gov.uk (under Councils and Democracy).

If you would like a translation of Agenda/Minutes/Reports or would like a large text version or an audio version please contact the Democratic Services Manager and we will try to accommodate your needs.

Emergency Procedure

In the event of the fire alarm being sounded and on the instruction of the Meeting Administrator, all attendees are requested to vacate the building via the closest emergency exit and to make their way to the base of the flagpole in the car park at the front of Pathfinder House.

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Agenda Item 1

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 Monday, 24 July 2006.

PRESENT: Mr D H Bristow - Chairman
Councillors Mrs B E Boddington, P J Downes, I R Muir, T D Sanderson and Mr G Watkins

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors J A P Eddy, Mrs K P Gregory and J Taylor and Messrs D L Hall and D MacPherson.

12. MINUTES

Subject to the addition of Councillor T D Sanderson to those who had apologised for absence, the Minutes of the meeting of the Committee held on 6th July 2006 were approved as a correct record and signed by the Chairman.

The Chairman announced that, due to work commitments and with immediate effect, Mr D Patisson had tendered his resignation as an Independent Member of the Committee.

Having acknowledged Mr Patisson's contribution to the work of the Committee, Members requested the Monitoring Officer to convey their best wishes to him for the future.

13. MEMBERS' INTERESTS

Councillor P J Downes declared a personal and prejudicial interest in Minute No. 14 having personally canvassed all four parties involved in the complaint when campaigning during the Cambridgeshire County Council elections in 2005.

The Chairman, Mr Bristow declared a personal interest in Minute No. 15 by virtue of his membership of a social club which had utilised the facilities of the Millennium Community Centre, Buckden.

14. THE STUKELEYS PARISH COUNCIL - ALLEGED BREACH OF CODE OF CONDUCT

(See Minute No. 13 for Members' Interests).

A report by the Director of Central Services and Monitoring Officer was submitted (a copy of which is appended in the Minute Book) to which was attached a copy of the final report by the Investigating Officer in response to the allegations made against two Councillors

serving on The Stukeleys Parish Council.

After careful consideration of the facts set out in the report of the Investigating Officer and having regard to advice from the Director of Central Services and Monitoring Officer, the Committee

RESOLVED

that the findings of the Investigating Officer in respect of SBE Case Nos. 13997.06 and 13998.06 be accepted and the principals involved in this case advised of the Committee's conclusion that there was no case to answer and no breach of the Parish Council's Code of Conduct.

15. APPLICATIONS FOR DISPENSATION

(See Item No. 13 for Members' interests).

The Committee were acquainted, by way of a report by the Director of Central Services and Monitoring Officer (a copy of which is appended in the Minute Book) with two applications received for dispensation to allow Members of Alconbury and Buckden Parish Councils to speak and vote on matters relating to the Alconbury Flood Alleviation Scheme and the Buckden Village Hall and Recreation Ground Trust respectively.

Having regard to the advice received from the Monitoring Officer, the Committee

RESOLVED

- (a) that dispensation to speak and vote be granted to six Members of Alconbury Parish Council for the period ending 30th April 2010 to enable them to participate in meetings when matters arise relating to the Flood Alleviation Scheme;
- (b) that dispensation to speak and vote be granted to Buckden Parish Council for the period ending 30th April 2010 to enable Members to conduct business associated with the Village Hall and Recreation Ground Trust; and
- (c) that Buckden Parish Council be invited to contact the Charity Commission for assistance in varying their trustee arrangements to overcome continuing conflicts of interest and that a similar reminder be issued by the Monitoring Officer to all town and parish councils in Huntingdonshire.

16. STANDARDS AND CONDUCT WEB SITE

Further to Minute No. 9 of the last meeting of the Committee, Members considered a report by the Director of Central Services and Monitoring Officer (a copy of which is appended in the Minute Book) regarding the inclusion of the contact details of non-elected Members of the Committee on the District Council's website.

Having reviewed the practices of other authorities locally and concluded that the approach adopted by East Cambridgeshire District Council would present the best solution, the Committee,

RESOLVED

that the Standards and Conduct pages on the District Council's website be amended to indicate that correspondence for the Independent Members and Parish Council representatives on the Committee be sent c/o the District Council offices at Pathfinder House.

17. NEXT MEETING

It was noted that the next scheduled meeting of the Committee would be held on Thursday 14th September 2006 at 4.00pm.

Chairman

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**CODE OF CONDUCT: STANDARDS BOARD NOTIFICATIONS
(Report by the Director of Central Services and Monitoring Officer)**

1. INTRODUCTION

1.1 In accordance with the procedure adopted by the Standards Board for England for the investigation of allegations, the Monitoring Officer has been notified of the Board's decisions in respect of –

- ◆ an allegation made against two District Councillors (Case 1); and
- ◆ allegations made against three Councillors serving on Ramsey Town Council (Cases 2 and 3).

2. DETAILS OF CASE 1

2.1 It had been alleged that a District Councillor had knowingly or negligently made a false statement regarding the level of reserves of the District Council in a report for a local parish council AGM and that when challenged had refused to apologise nor “put the record straight”. Similarly the complainant had expressed his dissatisfaction with an explanation given by the second Councillor on a financial irregularity in the District Council's reserves. In reaching a conclusion on the complaint, the Board noted that the complainant had received responses from both Councillors on the issues that were raised with them. Indeed, both Councillors had attempted to respond to the complainant's questions. The Board also considered that the correspondence allegedly sent by the Councillors would be an adequate response given the circumstances.

2.2 Although the Standards Board does not have jurisdiction to consider the accuracy of statements elected Members may make at meetings, in the press or in local leaflets, they did not consider, on the basis of the information provided, that there was any deliberate attempt made by the District Councillors to mislead the public. In all the circumstances, it was considered that the alleged conduct (even if it were found to have occurred) would not have involved a failure to comply with the District Council's Code of Conduct and accordingly, the Board concluded that the allegation should not be pursued.

3. DETAILS OF CASES 2 AND 3

3.1 The background to Cases 2 and 3 involve a proposal for a play area scheme which the complainant had objected to on the grounds of noise, traffic and the potential for anti-social behaviour. The circumstances had resulted in the submission of two separate complaints from the same individual. The first allegation related to the alleged failure of a Town Councillor to object to the scheme when he had previously raised objections on the same grounds about a local taxi firm. In respect of the involvement of the remaining two Councillors, it was alleged that they had failed to listen to their

constituents, had ignored letters, complaints and petitions and had not responded to questions, letters or suggestions.

- 3.2 The Standards Board concluded that it was legitimate for Councillors to object to certain schemes for particular reasons but not to object to others for the same reason as they may have felt those reasons did not apply or that positive aspects of the scheme outweighed the negative aspects. In these circumstances, it was considered that the alleged conduct (even if it were found to have occurred) would not have involved any failure to comply with the town council's Code of Conduct. Accordingly, it was decided that this allegation should not be investigated.
- 3.3 In terms of the allegation that two Councillors failed to listen to their constituents, the Board took the view that the information provided by the complainant was insufficient to be able to make a decision as to whether the complaint should be referred for investigation. In particular, it was noted that no details of exactly what had been submitted to the Council were provided, when this had taken place and what (if any) the response had been from the Councillors. The Board undertook to consider the complaint afresh should the information requested be provided. No further notification has been received by the Monitoring Officer.

4. CONCLUSION

- 4.1 The Committee is invited to note that the Standards Board for England has agreed not to take any further action in relation to allegations made against two District Councillors and one Member of Ramsey Town Council but awaits further information which will determine whether further action would be required against two other Councillors also from Ramsey Town Council.

BACKGROUND PAPERS

Letters received from the Standards Board for England dated 24th July and 14th August 2006.

**Contact Officer: Christine Deller, Democratic Services Manager -
Tel: (01480) 388007.**

TRAINING: ROUND-UP

(Report by the Director of Central Services and Monitoring Officer)

1. INTRODUCTION

- 1.1 The Committee is tasked by its terms of reference to promote and maintain high standards of conduct by Members by giving advice and training on matters relating to the Codes of Conduct.
- 1.2 This report describes the training activity undertaken/planned by the Monitoring Officer.

2. TRAINING FOR NEW MEMBERS

- 2.1 Newly elected Parish Councillors and Co-opted Members have been invited to participate in a session on the ethical framework, standards and the code of conduct. The invitation also was extended to existing Parish Councillors who might have benefited from a reminder of the requirements of the Code. The session, which was held in early July was led by the Deputy Monitoring Officer and the Democratic Services Manager.

- 2.2 Representatives from the following Parishes were present –

Alconbury (2), Colne, Hemingford Grey (3), Holywell-cum-Needingworth, Houghton and Wyton, Somersham, The Stukeleys (2), Yaxley and Yelling (2).

The session, of approximately one and a half hours duration, comprised a presentation, the opportunity to review example scenarios in small groups and a Standards Board for England (“SBE”) video. The Chairman of the Committee was present and a certificate of achievement has been sent to all those who participated. The training was well received and provoked wide-ranging discussion during the evening and prompted a number of subsequent enquiries.

- 2.3 Those present were reminded that the Monitoring Officer and his colleagues were available to attend Parish Council meetings and to give advice on an ongoing basis.
- 2.4 The Monitoring Officer participated in a training session organised by the Cambridgeshire Association of Local Councils on Saturday, 24th June for newly-elected Parish Councillors.
- 2.5 Induction training for all new District Councillors was held in late-June. This was hosted by the Head of Administration and Democratic Services Manager and included a session on the Code of Conduct.

3. UPCOMING ARRANGEMENTS

- 3.1 As several Members of Ramsey Town Council had been involved in recent complaints made to the SBE and whilst these had not been pursued, the Monitoring Officer has offered to attend an upcoming

meeting of the Town Council. This offer has been accepted and a short presentation on the code will be given to Members of the Town Council in advance of their next meeting scheduled for Wednesday 14th September 2006. The Chairman of the Standards Committee also will be present.

- 3.2 As Farcet Parish Council have several new Members, the Clerk has requested the Monitoring Officer and his staff to attend their meeting on October 10th 2006 to address the Council on the Code, to answer questions and to offer guidance on issues upon which the Councillors may have concerns.
- 3.3 Preliminary enquiries also have been made with Grafham Parish Council with a view to attending a future meeting of that Parish to offer similar training.

4. STANDARDS BOARD DIRECTIONS

- 4.1 A facility is available via Section 66(6) of the Local Government Act, 2000 and Regulations made thereunder for an SBE Ethical Standards Officer to issue directions to Monitoring Officers to help resolve disputes locally. This is regarded – certainly by Monitoring Officers – as an alternative approach to the SBE’s processes for investigating and determining allegations as to breaches of the Code where solutions (rather than sanctions) might be sought, eg. by reviewing procedures to make them more robust, arranging training and guidance or getting Councillors to sit down and work out their problems together.
- 4.2 Members may be aware that an allegation had been made against a Member serving on Sawtry Parish Council. Following assessment by an Ethical Standards Officer and representations by the Monitoring Officer, the Standards Board for England has issued a direction to the Monitoring Officer in the following terms –

“I direct that you work with the Chairman and Clerk of Sawtry Parish Council to provide training and guidance to all Members of the Authority on the Code of Conduct, with particular reference to the obligations imposed in respect of personal and prejudicial interests. A report should be provided to me within three months of the date of this direction (31st July 2006) outlining progress and any future plans of action”.

- 4.3 Arrangements currently are being pursued with Sawtry Parish Council to enable the Monitoring Officer to comply with this direction.

5. CONCLUSION

- 5.1 Members are requested to note arrangements made to fulfil the Committee’s obligations in terms of training and advice on issues relating to the local ethical framework and code of conduct.

BACKGROUND PAPERS

Letter received from the Standards Board for England dated 31st July 2006.

**Contact Officer: Christine Deller, Democratic Services Manager -
Tel: (01480) 388007.**

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A NEW APPROACH – LOCAL INVESTIGATIONS
(Report by the Director of Central Services and Monitoring Officer)

1. INTRODUCTION

- 1.1 Members will recall that the discussion paper published by the Office of the Deputy Prime Minister last Autumn envisaged the evolution of the Standards Board for England into a strategic body which would continue to investigate only those cases which set important precedents and those, which for various reasons, could not be handled locally.
- 1.2 These themes have continued as the Board focuses on specific projects to support greater local ownership of the Code of Conduct and a move towards a system which would involve local assessment of complaints by 2008 and the conduct by local authorities of the vast majority of investigations.

2. MONITORING LOCAL INVESTIGATIONS

- 2.1 **“Our aim is to ensure that a culture of good conduct persists in Local Government and to put in place strategic support to enable Councillors and Local Standards Committees to manage and conduct issues effectively”. Phil Woolas, Minister for Local Government.**
- 2.2 The Committee will be aware that the Board has begun to refer, increasingly, cases to the Monitoring Officer for investigation locally. This trend has been underway now for approximately 18 months. As part of its new role as regulator, the Board has monitored the outcome of a number of local investigations to assess how the process is progressing.
- 2.3 Since the investigation of the new regime, 202 reports have been received from Monitoring Officers and the percentage of complaints being referred for local investigation continues to rise. 61% were referred for local investigation during May – July 2006. Of those 202 reports, the Board has selected 50 at random. Most (30) related to Members of Town and Parish Councils. In 40 cases, investigations were commissioned internally with Monitoring Officers conducting 17 of them, the Deputy Monitoring Officers handling 10, and various other Council Officers doing 13. In 4 linked cases, the investigation was dealt with by way of a reciprocal arrangement; external solicitors or barristers handled another 4 cases; and 2 cases were completed by independent consultants.
- 2.4 The vast majority of reports demonstrated a clear presentation of the complaint, investigation and interpretation of the Code of Conduct. Only 7 were not considered of an appropriate standard. These investigations had all been carried out by Officers other than the Monitoring Officer. The Standards Board recommend that careful thought be given to the appointment of Investigators and that Monitoring Officers satisfy themselves that the person appointed has

the necessary skills and resources needed to carry out the investigation thoroughly.

3. A NEW APPROACH TO MONITORING LOCAL INVESTIGATIONS

3.1 In the light of their recent experience, the Standards Board has devised a new approach to monitoring local investigations which they envisage should ensure that any concerns that may emerge during the investigation are dealt with at the right time in the most appropriate way. In future, the Board intends:-

- ◆ within 6 weeks of referral, to confirm with the Monitoring Officer that the investigation referred to them is under way, resolve any issues and enquire about the anticipated completion date. The Board will maintain contact with Monitoring Officers to ensure investigations are proceeding expeditiously;
- ◆ not to comment on draft reports so that they are not seen to be an integral part of what is regarded essentially as a local process;
- ◆ that if the Board see minor problems in a report, they will refrain from commenting before the Standards Committee has met. The Board may then raise the matter informally with the Monitoring Officer after the Standards Committee has reached its decision;
- ◆ to raise more serious matters with the Monitoring Officer before the Standards Committee has met to consider the report;
- ◆ to contact the Chief Executive if it thinks there is a serious problem with the outcome of the Standards Committee hearing – for example, if there is a flawed interpretation of the Code of Conduct; and
- ◆ to refer any complaints it receives about the process of an investigation or a Standards Committee hearing to the Council's Corporate Complaints Procedure. If this does not resolve the matter and it involves maladministration, the Local Government Ombudsman would be the appropriate forum for redress.

3.2 The Board has indicated that there has been a very positive start to the investigation of complaints locally and that they are generally being dealt with efficiently and effectively.

4. PARISH AND TOWN COUNCIL REFERRAL AND INVESTIGATION STATISTICS

4.1 For the Committee's information, the charts appended to this report compare the Parish experience with that of Local Government as a whole for the period 1st April 2005 to 31st March 2006.

5. CONCLUSION

5.1 The Committee is invited to note the content of the report and the new approach to monitoring local investigations adopted by the Standards Board for England.

BACKGROUND PAPERS

Standards Board for England – Annual Review 2005 – 2006 and Bulletin No. 30.

**Contact Officer: Christine Deller, Democratic Services Manager -
Tel: (01480) 388007.**

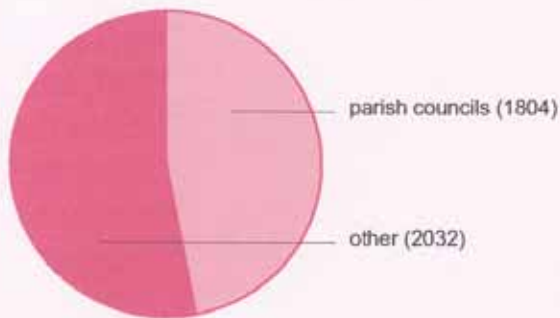
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Parish and town council referral and investigation statistics

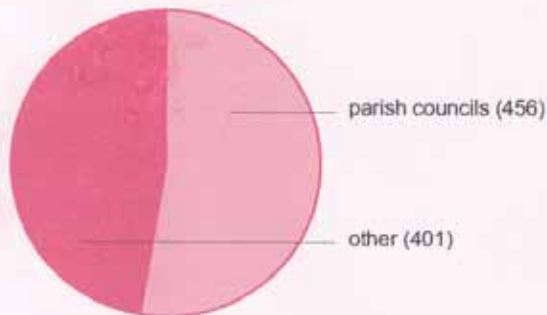
The following charts compare the parish experience with that of local government as a whole, for the period 1 April 2005 to 31 March 2006.

Key ■ parish councils ■ other

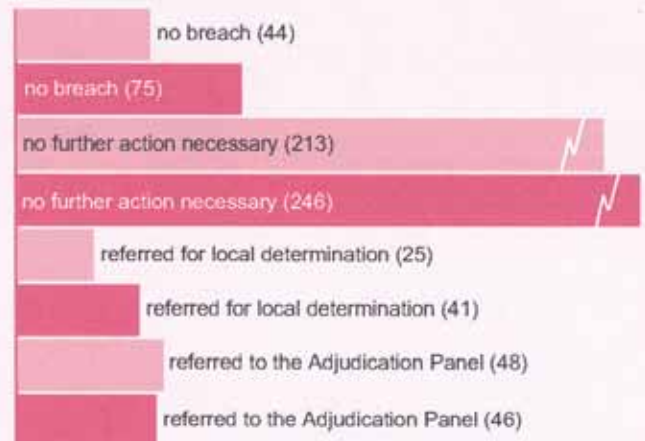
Number of allegations received (total: 3836)



Number of allegations referred for investigation (total: 857)



Ethical standards officers' final findings



Standards committee determinations in cases that have been heard



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