

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the STANDARDS COMMITTEE held in the Gemini Suite, Huntingdon Leisure Centre, St. Peter's Road, Huntingdon on Thursday, 5 March 2009.

PRESENT: Mr D L Hall - Chairman

Councillors J D Ablewhite,
Mrs B E Boddington, P J Downes,
A Hansard, T D Sanderson and
G S E Thorpe.

IN ATTENDANCE: Messrs J Alexander, P L Boothman,
M Lynch, M Reece and G Watkins.

Mrs S Stafford.

43. MINUTES

The Minutes of the meeting held on 4th December 2008 were approved as a correct record and signed by the Chairman.

The Chairman welcomed Councillors J Alexander and M Reece, representing Town and Parish Councils in Huntingdonshire, to their first meeting of the Committee.

44. MEMBERS' INTERESTS

No interests were declared.

45. REPORT OF THE REFERRALS (ASSESSMENT) SUB COMMITTEE

Mr P L Boothman, Chairman of the Referrals (Assessment) Sub-Committee reported briefly on the five cases which had been considered by the Sub-Committee since the last meeting. Of these, it was noted that no further action was required to be taken by the Monitoring Officer in each case.

Mr Boothman also took the opportunity to advise the Committee of the main points arising during an informal discussion held on the performance of the Sub-Committee thus far. Mention was made of the balance which was required to be adopted by the Monitoring Officer in gathering information on a complaint to present to the Sub-Committee without initiating an investigation and in giving advice and guidance sufficient for the Sub-Committee to reach their conclusions on the case. Mr Boothman added that feedback received on the action taken by the Sub-Committee to-date had been positive, that membership of the Sub-Committee should rotate to enable all Members to develop an expertise in the assessment of complaints under the Code and that Members also should be encouraged to observe the Sub-Committee's proceedings for the same training/development reasons.

46. APPOINTMENT OF STANDARDS (CONSIDERATION & HEARING) SUB COMMITTEE

Having been advised by the Monitoring Officer that an investigation of an allegation referred to him by the Referrals (Assessment) Sub-Committee had recently been completed and that it was now appropriate for the case to be referred to the next stage, it was

RESOLVED

that Councillors J D Ablewhite, Mrs B E Boddington and Messrs D L Hall, P L Boothman and M Reece be appointed to comprise the Standards (Consideration and Hearing) Sub-Committee to consider investigation reports and to hold determination hearings.

47. THE ETHICAL STANDARDS REGIME IN LOCAL GOVERNMENT AND HUNTINGDONSHIRE

In accordance with Standards Board Guidance, the Chairman invited Councillor P J Downes, Leader of the Opposition Group on the District Council to address the Committee on his perceptions of the ethical standards regime both locally and nationally.

Despite having reservations about the role of the Standards Board, Councillor Downes indicated his support for the work of the Committee locally and welcomed the introduction of the model code of conduct and particularly the obligation for Councillors to declare, when necessary, any personal and prejudicial interests in business under consideration.

Whilst commending the concept of standards in local government and acknowledging that there had been a marked improvement in the performance of some local councils, he indicated that he remained unconvinced that all Parish Councils clearly understood the aspect of the Code relating to the declaration of interests. In this respect, Councillor Downes endorsed the continuation of the Committee's approach to training. He also expressed some concern at the limited sanctions available to local Committees which had resulted in the more serious cases of misconduct being referred to the Standards Board.

For the future, Councillor Downes was hopeful that the Government might extend the Committee's remit to consider cases involving infringements of electoral law and the behaviour of Councillors during election campaigns.

The Committee thanked Councillor Downes for his contribution to the meeting which had prompted an interesting debate.

48. THE CASE TRIBUNALS (ENGLAND) REGULATIONS 2008

A report by the Head of Legal, Property and Governance was received and noted (a copy of which is appended in the Minute Book) regarding the issue, by the Government, on 18th November, of the Case Tribunals (England) Regulations 2008.

Members were advised that the Regulations had prescribed the sanctions available to a Case Tribunal of the Adjudication Panel for England where it had determined that a Councillor had failed to comply with his or her authority's code of conduct. Sanctions ranged from censoring a Member to disqualification from service for five years, training or requesting the submission of an apology.

49. QUALITY STATUS FOR PARISH COUNCILS

Further to Minute No. 38 of the meeting held on 4th December 2008, the Monitoring Officer reported that he had made enquiries to establish whether there was a requirement for Parish Councils with quality status to receive refresher training on the Code of Conduct at regular intervals.

The Committee was advised that the Quality Parish and Town Council Scheme required town and parish councils to demonstrate that they had reached the standard required by passing several tests, one of which related to the Code of Conduct. However, the Committee expressed disappointment that the Scheme appeared not to require a commitment to regular refresher training on the Code.

In debating how to encourage the introduction of such a requirement to the Scheme, the Committee was further disappointed to hear that the administrative burden and cost of acquiring quality status could be onerous and prohibitive to local councils and thus had affected the take-up and coverage of the Scheme locally.

50. LOG OF CODE OF CONDUCT ENQUIRIES

Further to Minute No. 42, the Committee received and noted the nature of Code of Conduct enquiries which had been recorded by the Head of Legal, Property and Governance since their last meeting in December 2008 (an extract of the log is appended in the Minute Book). Members were reminded that the areas of the Code which appeared to cause the most concern formed the basis for the Monitoring Officer's approach towards the training of parish councils.

As part of the intention to develop the Standards and Conduct section of the District Council's website, the Chairman suggested that case examples drawn from the log could be placed on the pages as guidance for Town and Parish Councils. It was suggested that a photograph of the Committee also could be placed on these web pages.

51. CODE OF CONDUCT TRAINING

The Committee discussed, for training purposes, the content of a fact sheet issued by the Standards Board for England on "Personal and Prejudicial Interests".

The Monitoring Officer undertook to report on the percentage return of registration forms by Members to a future meeting.

52. DATE OF NEXT MEETING

It was noted that the next meeting of the Committee would be held on Thursday 9th July 2009 at 4pm.

Chairman