

A meeting of the **STANDARDS COMMITTEE** will be held in the **AQUARIUS ROOM, ST. IVO LEISURE CENTRE, WESTWOOD ROAD, ST. IVES, PE27 6WU** on **THURSDAY, 3 DECEMBER 2009** at **4:00 PM** and you are requested to attend for the transaction of the following business:-

APOLOGIES

Contact

**C Deller
388007**

1. MINUTES

To approve as a correct record the Minutes of the meeting held on 3rd September 2009.

2. MEMBERS' INTERESTS

To receive from Members declarations as to personal and/or prejudicial interests and the nature of those interests in relation to any Agenda Items - please see Notes 1 and 2 below.

3. MEMBERSHIP OF COMMITTEE

To report the resignation of Mr M Reece as Councillor from the Offords Parish Council and consequently as Parish Council representative on the Standards Committee. The Cambridgeshire and Peterborough Association of Local Councils have been requested to nominate a replacement representative.

4. REPORTS OF SUB-COMMITTEE

(a) **Referrals (Assessment) Sub-Committee**

(b) **Standards (Consideration and Hearing) Sub-Committee**

The Chairman of the Sub-Committees to report on the business considered since the last meeting.

5. 2009 ANNUAL ASSEMBLY OF STANDARDS COMMITTEES

To invite those Members who attended to comment on this year's Annual Assembly.

6. UPDATE ON CODE REVISION

Members will be aware that the Department for Communities and Local Government is responsible for dealing with revisions to the Members' Code of Conduct and for introducing a new national code for Officers. Current advice is that the revised code will be ready in late Autumn 2009. It is not anticipated that there will be many changes to the Code this time. The

main change will be to allow the Code to cover Members in their non-official capacity where that conduct would be a criminal offence. Further consultation on the introduction of a Code for Officers is likely to take place in 2010.

7. LOG OF CODE OF CONDUCT ENQUIRIES

**C Deller
388007**

To note the Code of Conduct enquiries recorded by the Head of Law, Property and Governance and Monitoring Officer since the meeting held in September.

8. TRANSFER OF WORK FROM ADJUDICATION PANEL FOR ENGLAND INTO UNIFIED TRIBUNAL STRUCTURE

**C Deller
388007**

To note a report by the Head of Law Property and Governance and Monitoring Officer.

9. STANDARDS COMMITTEE - WEB STRATEGY

**C Deller
388007**

To consider a report by the Head of Law, Property and Governance and Monitoring Officer.

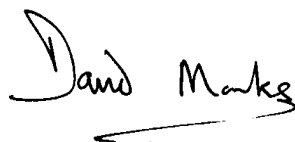
10. ASSESSMENT MADE CLEAR DVD

An opportunity to view the latest training aid produced by Standards for England. The DVD is designed to help Members involved in the assessment of complaints. Running time - 44 minutes.

11. DATE OF NEXT MEETING

To note that the next meeting of the Committee will be held at 4pm on Thursday 4th March 2010.

Dated this 25 day of November 2009

A handwritten signature in black ink that reads "David Mankie". The signature is written in a cursive style with a long horizontal stroke at the end.

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, their family or any person with whom they had a close association;*
 - (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 £25,000; 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.uk 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.

Specific enquires 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.

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Agenda Item 1

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the STANDARDS COMMITTEE held in the Meeting Room, Eastfield House, Latham Road, Huntingdon, Cambs PE29 6YG on Thursday, 3 September 2009.

PRESENT: Mr D L Hall - Chairman

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

Messrs J Alexander, M Lynch, M Reece and
G Watkins.

Mrs S Stafford.

APOLOGY: An apology for absence from the meeting
was submitted on behalf of Mr P Boothman.

13. MINUTES

The Minutes of the meeting of the Committee held on 9th July 2009 were approved as a correct record and signed by the Chairman.

Having regard to Minute No. 8, the Monitoring Officer reported that South Cambridgeshire District Council had strongly encouraged their Members to undertake code of conduct training but had not provided, within their Constitution, for training for Councillors to be mandatory. It was suggested that there may be an opportunity to incorporate the requirement for training on the Code of Conduct in the evidence required by the Council to attain the East of England Charter for Member Development.

Further to Minute No. 8, the Monitoring Officer advised that further refresher training sessions on the Code of Conduct for Town and Parish Councils would be held on the publication of the revised Code which it was anticipated would be in late Autumn 2009.

The Monitoring Officer confirmed that a meeting to consider the content of the Standards and Conduct pages on the District Council's website would be held on 10th September 2009.

14. MEMBERS' INTERESTS

No declarations were received.

15. REPORTS OF SUB-COMMITTEES

(a) Referrals (Assessment) Sub-Committee

In the absence of the Chairman, Mr Boothman, the Monitoring Officer advised Members that in accordance with the Sub-Committee's decisions, arrangements had been

made for training to take place at Godmanchester Town Council on 10th September 2009. Referring to the question which had been raised by the Sub-Committee on the training of Parish Council Chairmen, the Monitoring Officer indicated that he would wish to seek to engage the support of the Cambridgeshire and Peterborough Association of Local Councils on this issue and added that it might be possible to offer training to Chairmen on a "first come first served basis" at the end of the financial year. It was the opinion of Members that training should focus on both the Chairman and Clerk and that information should accompany election nomination papers explaining that there was a requirement for new Councillors to comply with a Code of Conduct.

(b) **Standards (Consideration and Hearing) Sub-Committee**

The Committee noted information presented on the outcome of Case No. 4 and that arrangements were being made for a training session for Members of St. Neots Town Council to take place in October.

16. STANDARDS ISSUES

By way of a report by the Head of Law, Property and Governance and Monitoring Officer (a copy of which is appended in the Minute Book) the Committee received and noted information in respect of a new name and profile for the former Standards Board for England, the outcome of new research about the public perception of Councillors and indemnification arrangements for Standards Committee Members.

17. RECENT CASES OF INTEREST

The Committee noted for training purposes, the outcome of three case histories recently determined by the Adjudication Panel for England (copies of the cases are appended in the Minute Book).

18. LOG OF CODE OF CONDUCT ENQUIRIES

The Committee received and noted the Code of Conduct enquiries which had been recorded by the Head of Law, Property and Governance and Monitoring Officer since the last meeting in July 2009 (an extract of the log is appended in the Minute Book).

19. REGISTRATION OF FINANCIAL AND OTHER INTERESTS

A report by the Head of Law, Property and Governance and Monitoring Officer was submitted (a copy of which is appended in the Minute Book) regarding the up to date position in terms of the return of registration forms from the 73 town and parish councils in Huntingdonshire.

Members were reminded that newly elected Councillors were required to register their financial and other interests with the District Council's Monitoring Officer within 28 days of their election or appointment to office. Currently 18 registration forms and a number of "no change" forms were still outstanding from Parish Councils.

In terms of individual Councillors and provided their 28 day period for registration of interests had not expired, the Committee

RESOLVED

that where forms still were outstanding by 30th September 2009, the Monitoring Officer be requested to write, in the strongest terms, to the Councillor concerned to suggest that further action may be taken against them as non-return of registration forms was a potential breach of the Code of Conduct.

20. DATE OF NEXT MEETING

It was noted that the next meeting of the Committee would be held on Thursday 3rd December 2009 at 4pm.

Chairman

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CODE OF CONDUCT ENQUIRIES FROM 3RD SEPTEMBER 2009

Case No.	Date of Enquiry	District/Town/Parish Council	Nature of Enquiry <i>(Brief Details)</i>	Advice Given <i>(Brief Details)</i>	Code of Conduct Reference <i>(Para No.)</i>
51	22.9.09		Enquiry as to the interest which a Town Councillor would need to declare when the Town Council discusses a proposed flood alleviation scheme. The Councillor is employed by the Environmental Agency.	<p>Advice given that the Councillor concerned has a personal interest as the matter affected his employer. If considering a planning application for the scheme, advice given that interest would be prejudicial.</p> <p>Advice included reference to paragraph 12(2) of the Code allowing Members with prejudicial interest to speak if members of the public are allowed to speak.</p> <p>Advice given about considering a grant application from an organisation of which a relative is a member.</p> <p>Advice also given about arrangements for dispensation (CM).</p>	8, 9, 10, 12

Case No.	Date of Enquiry	District/Town/Parish Council	Nature of Enquiry (Brief Details)	Advice Given (Brief Details)	Code of Conduct Reference (Para No.)
52	5.10.09		Enquiry as to whether a Member of a Town Council would have an interest to declare when considering the Mayor's allowance.	Advice given that no Member has a prejudicial interest as an exemption applies to Members Allowances under paragraph 10(2)(c)(iv) of the Code of Conduct (CM).	10(2)(c)(iv)
53	22.10.09		Enquiry from Parish Clerk on the interests held by a Member of the Council who is also the Chairman of the Allotment Association and a plot holder.	Advice given that the Councillor had a personal interest as his appointment as Chairman and allotment holding would be reflected on his declaration of interests. Advice given as to when that interest could become prejudicial and the opportunity that Councillor still had to address the Council under the paragraph 12(2) arrangements (CD).	8, 9, 10, 12
54	13.11.09		Enquiry as to whether a Town Councillor had a personal or prejudicial interest in relation to business involving a footpath adjacent to his property.	Advice given that Councillor had a personal interest by virtue of his home address and having established that the Town Council's decision could affect the value of his property that the interest could also be prejudicial. Advice also given about opportunity to address Town Council meeting under paragraph 12(2) (CD).	8, 9, 10, 12

Case No.	Date of Enquiry	District/Town/Parish Council	Nature of Enquiry (Brief Details)	Advice Given (Brief Details)	Code of Conduct Reference (Para No.)
55	13.11.09		Enquiry as to whether a Town Councillor had predetermined a matter relating to a footpath in the town.	Advice given that Councillor had not predetermined the matter (CM)	8, 9, 10, 12
56	17.11.09		Enquiry from a Town Councillor as to the interest he held in a matter which involved District Council property. The Councillor is also a District Councillor	Advice given that the Councillor needed to declare a personal interest and was able to vote on the matter (CD).	8, 9

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**TRANSFER OF WORK FROM ADJUDICATION PANEL FOR ENGLAND
INTO UNIFIED TRIBUNAL STRUCTURE
(Report by the Head of Law, Property and Governance
and Monitoring Officer)**

1. INTRODUCTION

- 1.1 The Monitoring Officer has been advised that the work of the Adjudication Panel (Standards for England) is to transfer into the new General Regulatory Chamber (GRC) with effect from January 2010 and will from that date be known as First Tier Tribunal (Local Government Standards, England). This transfer is subject to Parliamentary approval. The GRC is a new Chamber that will bring together individual tribunals that hear appeals on regulatory issues.

2. LEGISLATIVE PROCESS AND GENERAL IMPACT OF CHANGE

- 2.1 A "Transfer of Tribunal Functions Order", transferring the functions of the Adjudication Panel into the GRC has been laid in Parliament. The Order requires parliamentary approval and debates on the order will take place before Christmas. The Order contains various amendments to the Local Government Act 2000 to the Standards Committee Regulations and to the Case Tribunal Regulations. Once Parliamentary approval has been obtained, an amended version of each of those provisions will be available on that part of the Tribunal Service website which deals with cases involving Local Government Standards in England.
- 2.2 The effect of the Order is to abolish the Adjudication Panel for England, whose functions will thereafter be undertaken by the First Tier Tribunal. The jurisdiction will be known as the First Tier Tribunal (Local Government Standards, England). The President and Members of the Adjudication Panel will be transferring as either Judges or Members of the First Tier Tribunal assigned to work in the General Regulatory Chamber of that Tribunal. The President will also be a Deputy Judge in the Upper Tribunal.
- 2.3 Common Procedure Rules will apply to all proceedings in the General Regulatory Chamber. These rules may need to be amended to take account of the work to be undertaken once the transfer order comes into effect.
- 2.4 References and appeals made to the President of the Adjudication Panel are determined by Case Tribunals and Appeals Tribunals. The people who sit on those Tribunals will be the same people who determine these kinds of matters in the name of the First Tier Tribunal (Local Government Standards, England). The associated

administrative work will also be undertaken by the same people as currently do this. Such work will continue to be based at the Tribunal Services offices in Leeds.

- 2.5 Since it was established, the Adjudication Panel has operated without any formal Rules. That situation will change as a result of the transfer of work into the First Tier Tribunal. The Procedure Rules give more explicit powers of direction to the First Tier Tribunal than were available to the Adjudication Panel, including power to summon witnesses.

3. CONCLUSION

- 3.1 These changes are part of a programme of tribunal reform that began with the establishment of the First Tier and Upper Tribunals in November last year. This change will put in place new flexible structures where services can be created that are increasingly responsive to the needs of users.
- 3.2 The Committee is requested to note the proposed changes to the Adjudication Panel for England.

BACKGROUND PAPERS

Bulletin No. 45 Standards for England and Letter received from Tribunal Service - November 2009.

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

STANDARDS COMMITTEE

3RD DECEMBER 2009

**STANDARDS COMMITTEE - WEB STRATEGY
(Report by the Head of Law, Property and Governance
and Monitoring Officer)**

1. INTRODUCTION

- 1.1 Members may recall that the Chairman has, for some time, wished to review the content of the "Standards and Conduct" pages on the District Council's website.
- 1.2 To this end, a meeting involving the Chairman of the Committee, the Monitoring Officer and Officers from the District Council's Web Development Team took place in mid-September and several suggestions to improve the style and content of the current web pages and raise the profile of standards and code of conduct issues were discussed.

2. SUGGESTED IMPROVEMENTS

- 2.1 Having regard to examples of web pages published by other Authorities, the meeting concluded that, in general, the style and the text of the current pages required to be re-drafted and simplified to ensure they were clearer and easier to understand. This might be managed by dividing the information presented into several sub-sections.
- 2.2 Other initiatives discussed were -
- ◆ a photograph of the Committee (to be taken before the March 2010 meeting);
 - ◆ the introduction of an on-line complaint form;
 - ◆ a section featuring recent case examples;
 - ◆ a section comprising frequently asked questions;
 - ◆ the possibility of a short video featuring the Chairman of the Committee.
- 2.3 Under the District Council's web strategy 2009 - 2012, an extract of which is appended, the Monitoring Officer has indicated the timescale by which these actions should be achieved.

3. CONCLUSION

- 3.1 The Committee is requested to comment on the proposed web strategy and make suggestions for any additional initiatives that might be considered.

BACKGROUND PAPERS

Web Strategy Services Action Plan.

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

Web Strategy - Services' Action Plan 2009-2012

Service:						
Objective Type	Specific Objective	Actions	Measure(s) of Success	Target by end of 09/10	Future years' targets	By Whom
Enhancement of existing web services	•	•				
	• Improve information on Standards	<ul style="list-style-type: none"> • Photograph of Committee • Simplify text • Introduce on line complaint form • Consider section on recent decisions • Introduce section on FAQs • Consider short video of Chairman 	<ul style="list-style-type: none"> Photograph on site Review by software Form on line Reports on line FAQ on web site Video on web 	<ul style="list-style-type: none"> March 2010 End 2010 End sept 2010 End 2010 End June 2009 End 2010 		<ul style="list-style-type: none"> C Deller C Deller C Deller C Meadowcroft C Meadowcroft C Meadowcroft
Migration of further existing services to the web site	•	•				
	•	•				
Introduction of new service(s) – not currently offered via any other channel - onto the web site (and,	•	•				
	•	•				

Service:						
Objective Type	Specific Objective	Actions	Measure(s) of Success	Target by end of 09/10	Future years' targets	By Whom
possibly, other channels)						

Notes:

1. Actions – what specifically will be done by the end of 09/10 & what will take longer to achieve?
2. How will we measure a successful outcome?