

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the STANDARDS COMMITTEE held in the Aquarius Room, St. Ivo Leisure Centre, Westwood Road, St. Ives, PE27 6WU on Thursday, 4 March 2010.

PRESENT: Mr D L Hall - Chairman.

Councillors J D Ablewhite, Alexander, Mrs B E Boddington, P J Downes, R S Farrer, M Lynch, T D Sanderson, Mrs S Stafford and G S E Thorpe.

Messrs J B Alexander and M Lynch.

Mrs S Stafford.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Messrs P B Boothman, A Hansard and G Watkins and Councillor A Hansard.

32. MINUTES

The Minutes of the meeting of the Committee held on 3rd December 2009 were approved as a correct record and signed by the Chairman.

33. MEMBERS' INTERESTS

No declarations were received.

34. REPORTS OF SUB-COMMITTEES

(Councillor G S E Thorpe declared a personal and prejudicial interest in the following item by virtue of his involvement with one of the cases referred to by the Chairman of the Referrals (Assessment) Sub-Committee.)

In terms of the Assessment Sub-Committee, Mr Lynch reported that this had met on three occasions since December 2009 and that in two cases, the Sub-Committee had recommended that no further action be taken. In the third case, the Sub-Committee requested the Councillor involved to apologise to the Town Council concerned otherwise the complaint would have been referred for investigation. An apology was subsequently submitted by the Councillor.

Members were informed that the Review Sub-Committee had not been required to meet but that the Consideration and Hearing Sub-Committee would need to be convened shortly to consider reports on the outcome of three investigations by the Investigating Officer.

35. UPDATE ON CASE NO. 15

The Committee was reminded that Case No. 15 had exposed an

issue with regard to the level of awareness of the Local Authority Code of Publicity. The Monitoring Officer confirmed that, in accordance with the instructions of the Referrals (Assessment) Sub-Committee, all town and parish councils in Huntingdonshire now had been reminded of the requirements of the Code. This advice would be repeated in advance of the elections every year irrespective of whether elections were scheduled in a parish or otherwise. The Monitoring Officer also confirmed that he had incorporated a section on the Code of Publicity in his training presentation to town and parish councils.

36. UPDATE ON CODE REVISION

Members were informed that the Department of Communities and Local Government had announced that a new Code of Conduct for Members would not be laid during the current parliamentary session due to insufficient time. The Monitoring Officer confirmed that, in practice, this meant that a new Code now would not be made until after the General Election.

37. 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 the Monitoring Officer since the last meeting in December 2009 (an extract of the log is appended in the Minute Book).

The Monitoring Officer also confirmed that he would be preparing a series of "frequently asked questions" which would be made available on the "Standards and Conduct" pages of the District Council's website.

38. BIAS, PRE-DETERMINATION AND THE CODE

The Committee noted the content of an article (a copy of which is appended in the Minute Book) which examined the relationship between bias, pre-disposition, pre-determination and the Code of Conduct drawing upon recent and relevant case law in the area and requested that a copy of the advice be circulated to all Members.

39. REQUEST FOR DISPENSATION - ST. IVES TOWN COUNCIL

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 consequences of advice offered by the Monitoring Officer in a response to an enquiry about potential interests held by Members serving on St. Ives Town Council. It had become apparent that Members of that Council required dispensation to enable them to continue to consider matters likely to effect a community interest company set up to manage the corn exchange in St. Ives.

Having considered the Town Council's request and being satisfied that approval of the application in the circumstances described was required to prevent the business of that authority from being impeded,

it was

RESOLVED

that dispensation be granted to 15 Members of St. Ives Town Council to enable them to speak and vote on the subject for the period ending 30th April 2012 after which time an application for the newly elected Councillors would need to be submitted.

40. ANNUAL RETURN 2010

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 was invited to decide whether to produce an annual report.

The Committee noted that it was the intention of "Standards for England" to collect annual information returns from Monitoring Officers for 2010. Last year's return had indicated that 59% of authorities had produced an annual report. As it appeared that SFE were encouraging all authorities to produce such a report, the Committee requested that this task also be undertaken annually by the Monitoring Officer and that the inaugural report be prepared for the July meeting. The report would assist in responding to the requirements of the Audit Commission and the completion of the Use of Resources Assessment.

Whilst welcoming the initiative, the Committee requested that the report be produced in the most cost-effective way, that it should emphasise the role of the Committee in training councillors on the Code of Conduct and that it be promoted via the District Council's website and District Wide, the Council's in-house magazine.

41. INFORMATION/DISCUSSION - CODE OF CONDUCT ADVICE AND RECENT TRIBUNAL DETERMINATIONS

For training purposes, the Committee noted the content of a guide on the position of Freemasons and the Code of Conduct and details of cases recently published by SFE following complaints considered by Blackpool Borough and Daventry District Councils (copies of the guide and case summaries are appended in the Minute Book).

42. DATE OF NEXT MEETING

It was noted that the next meeting of the Committee would be held at 4pm on Thursday 8th July 2010.

Chairman