

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the STANDARDS COMMITTEE held in CVSO 1a, Civic Suite, Pathfinder House, St. Mary's Street, Huntingdon, PE29 3TN on Thursday, 8 July 2010.

PRESENT: Mr D L Hall - Chairman

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

Messrs J B Alexander, P L Boothman and M
Lynch.

Mrs S Stafford.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillor T D Sanderson and Mr G Watkins.

1. ELECTION OF CHAIRMAN

RESOLVED

that Mr D L Hall be elected Chairman of the Committee for the ensuing Municipal Year.

2. MINUTES

The Minutes of the meeting of the Committee held on 4th March 2010 were approved as a correct record and signed by the Chairman.

3. MEMBERS' INTERESTS

No declarations were received.

4. APPOINTMENT OF VICE-CHAIRMAN

RESOLVED

that Mr M Lynch be appointed Vice-Chairman of the Committee for the ensuing Municipal Year.

5. SUB-COMMITTEE APPOINTMENTS

RESOLVED

(a) that a Referrals (Assessment) Sub-Committee be appointed comprising one Independent Member, one Town and Parish Councillor and one District Councillor and that Mr M Lynch be elected Lead Independent Member and Chairman of the Sub-Committee;

- (b) that a Review Sub-Committee be appointed comprising one Independent Member, one Town and Parish Councillor and one District Councillor and Mr P L Boothman be elected Lead Independent Member and Chairman of the Sub-Committee;
- (c) that a Standards (Consideration and Hearing) Sub-Committee be appointed to comprise five Members to consider investigation reports and hold determination hearings and that Mr D L Hall be elected Lead Independent Member and Chairman of the Sub-Committee; and
- (d) that the Head of Law, Property and Governance and Monitoring Officer after consultation with the relevant Chairman, be authorised to convene meetings of the Referrals (Assessment), Review and Standards (Consideration and Hearing) Sub-Committees as necessary and to appoint Members to the various Sub-Committees as appropriate in accordance with the Standards Committee (England) Regulations 2008.

6. REPORTS OF SUB-COMMITTEES

(a) Referrals (Assessment) Sub-Committee

With the aid of a report (a copy of which is appended in the Minute Book) the Chairman of the Referrals (Assessment) Sub-Committee reported upon the outcome of 6 cases considered by the Sub-Committee since March relating to Members serving on St Ives Town, Yaxley and Upwood and The Raveleys Parish Councils.

(b) Review Sub-Committee

It was reported that the Review Sub-Committee had not been required to meet.

(c) Standards (Consideration and Hearing) Sub-Committee

The Chairman of the Standards (Consideration and Hearing) Sub-Committee reported that the Sub-Committee had met on two occasions to determine the outcome of one case against a Member of St Ives Town Council, which had resulted in the suspension of that Member from the Town Council for a period of one month with effect from 9th July 2010.

7. APPOINTMENT OF PARISH COUNCIL REPRESENTATIVES

With the aid 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 gave consideration to the proposed methodology for the appointment of the vacant post of Parish Council representative on to the Committee.

In noting that the post had been vacant since November 2009 and having been informed that two approaches had been made to the

Cambridgeshire and Peterborough Association of Local Councils (CPALC) for nominations to the vacancy, the Committee considered a proposal to seek nominations directly from the Town and Parish Councils themselves. In his absence, the Monitoring Officer expressed the views of Mr G Watkins that CPALC should be offered a further opportunity to nominate to the vacancy, but the consensus amongst Members was that the former approach should be adopted. Having concurred with the suggestion that Town or Parish Councillors wishing to express an interest in the post should do so in writing to the Monitoring Officer in not more than 250 words, it was

RESOLVED

- (a) that nominations to the vacant Parish Council post be sought directly from the Town and Parish Councils; and
- (b) that the Chairman, Vice-Chairman, Monitoring Officer and an existing Parish Council representative of the Committee be authorised to make the final selection.

8. STANDARDS FOR ENGLAND - THE FUTURE?

The Committee received and noted a report by the Head of Law, Property and Governance and Monitoring Officer (a copy of which is appended in the Minute Book) regarding the latest developments following the Government's announcement to "abolish the Standards Board" regime.

Members were acquainted with the initial response to the announcement from Standards for England (SFE) and were informed that the Annual Assembly 2010 had been cancelled by SFE and that the completion of the quarterly monitoring return by the Monitoring Officer for July had also been postponed. Attention was also drawn to the fact that SFE's budget had been reduced and that a process to review activities and update the business plan had already begun. Having questioned the future of Standards for England and the potential implications that this may have upon the Council, the Monitoring Officer advised the Committee that they were likely to be consulted by the Government upon any proposed changes to legislation affecting the current regime prior to its implementation.

9. DRAFT ANNUAL REPORT 2009/2010

Pursuant to Minute No. 09/40, Members were acquainted with a copy of the draft Standards Committee Annual Report 2009/10 (a copy of which is appended in the Minute Book) which had been identified as a best practice method by Standards for England. Having invited comments on the content of the report, Members questioned whether the figure reported in the "Time and Cost" section of the report reflected an accurate assessment of the resources used to investigate the complaints received by the Monitoring Officer over the course of the year. In response, the Monitoring Officer reported that the figure quoted reflected the physical cost of outsourcing four investigations and that it did not account for his or the Deputy Monitoring Officer's time when conducting internal investigations. Arising from discussions, Members agreed that more detailed

information on the cost of dealing with Standards' matters should be included within the report.

In terms of the publication of the report, Members commented that the document should be produced in the most cost-effective way as possible. In so doing, it was reported that the report would be promoted via the District Council's website and Districtwide, the Council's in-house magazine as well being circulated electronically to all the Town and Parish Councils. Whereupon, it was

RESOLVED

that subject to the inclusion of further additional information in the "Time and Cost" section of the report, the Standards Committee Annual Report 2009/10 be approved by the Committee.

10. APPLICATIONS FOR DISPENSATION

A report by the Head of Law, Property and Governance was submitted (a copy of which is appended in the Minute Book) in respect of two applications for dispensation received from Great and Little Gidding and Southoe and Midloe Parish Councils.

With regard to the Little and Great Gidding application, Members were advised that Members of that Council required dispensation to enable them to transact Parish Council business concerning the Village Hall and Recreation Field and the Great Gidding Charity. In terms of the application received from Southoe and Midloe Parish Council, it had become apparent that four Members of that Council have personal and prejudicial interests in an issue concerning the provision of allotments within the Parish area. Having considered each request in turn, Members expressed their satisfaction that approval of the applications in the circumstances described was required to prevent the business of those authorities from being impeded. Whereupon, the Committee

RESOLVED

- (a) that dispensation be granted to five Members of Great and Little Gidding Parish Council to enable them to speak and vote on the Village Hall and Recreation Field and the Great Gidding Charity for the period ending 30th April 2012 after which time an application for the newly elected Councillors would need to be submitted; and
- (b) that dispensation be granted to four Members of Southoe and Midloe Parish Council to enable them to speak and vote on the provision of allotments within the Parish area for the period ending 30th April 2014 after which time an application for the newly elected Councillors would need to be submitted.

11. TRAINING UPDATE 2010

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) proposing an approach to be undertaken by the Monitoring Officer towards training activity on the Code of Conduct. In noting that the newly elected District Councillors have already received training on the Code, Members were advised that the suggested programme for training had been designed to encourage both new and existing Councillors across the District to attend one of the four area based sessions proposed over the Autumn period. Having expressed their satisfaction with the approach to be adopted, and in noting that the Monitoring Officer would respond to individual requests for training from Town or Parish Councils as necessary, the Committee

RESOLVED

that the proposed approach to training be approved by the Committee.

12. 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 March 2010 (an extract of the log is appended in the Minute Book). The Committee's attention was drawn to a particular case concerning a planning application for a proposed wind farm at Kimbolton airfield and the subsequent advice given to the Parish Council by the Monitoring Officer.

13. RECENT CASE SUMMARIES AND ADVICE

For training purposes, the Committee noted the content of a guide on "Blogging" and details of cases recently published by Standards for England following complaints considered by Fenland District Council (copies of the guide and case summaries are appended in the Minute Book).

14. DATE OF NEXT MEETING

It was noted that the next meeting of the Committee would be held at 4:00pm on Thursday, 9th September 2010.

15. EXCLUSION OF PUBLIC

RESOLVED

that the press and public be excluded be excluded from the meeting during discussion of the following item on the grounds that the business to be transacted contains exempt information under paragraph 7c relating to the deliberations of a Sub-Committee of the Standards Committee established under the provisions of Part 3 of the Local Government Act 2000.

16. CODE OF CONDUCT COMPLAINTS - YAXLEY PARISH COUNCIL

The Monitoring Officer acquainted the Committee with the latest

conduct issues concerning Yaxley Parish Council and sought views from Members on the possible ways forward.

Chairman