

A meeting of the **STANDARDS COMMITTEE** will be held in **CIVIC SUITE CVS01A, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON PE29 3TN** on **THURSDAY, 27 JUNE 2013** at **4:00 PM** and you are requested to attend for the transaction of the following business:-

APOLOGIES

1. MINUTES (Pages 1 - 4)

To approve as a correct record the Minutes of the meeting held on 6th December 2012.

2. MEMBERS' INTERESTS

To receive from Members declarations as to disclosable pecuniary or other interests in relation to any Agenda item. See Notes below.

3. APPOINTMENT OF NEW LEAD AND DEPUTY INDEPENDENT PERSONS (Pages 5 - 18)

To consider a report by the Head of Legal & Democratic Services and Monitoring Officer regarding the process for new appointments to the positions of Lead and Deputy Independent Persons.

4. PROTOCOL BETWEEN CAMBRIDGESHIRE AND PETERBOROUGH MONITORING OFFICERS AND CAMBRIDGESHIRE POLICE (Pages 19 - 28)

On behalf of the District Council, the Monitoring Officer has signed a protocol between the Monitoring Officers of Cambridgeshire and Peterborough and Cambridgeshire Police which has established a procedure to follow when reporting or sharing information relating to a potential criminal offence under Section 34 of the Localism Act 2011.

This protocol had become necessary given the Government's decision to make it a criminal offence and potentially impose sanctions for

- participation in any discussion or vote on a matter in which a Councillor has a disclosable pecuniary interest (without a dispensation); or
- knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer of a disclosable pecuniary interest or in disclosing such interest to a meeting.

The criminal penalties available to a court on conviction are to impose a fine not exceeding £5000 and disqualification from being a

Councillor for up to 5 years.

Cambridgeshire Police has agreed that the Information Management Unit at Thorpe Wood in Peterborough would act as the single point of contact for Councils. A copy of the protocol is enclosed for information.

5. CHANGES TO NOLAN PRINCIPLES (Pages 29 - 32)

To consider a report by the Head of Legal & Democratic Services and Monitoring Officer in respect of recent recommendations of the Committee on Standards in Public Life.

6. UPDATE ON CODE OF CONDUCT AND REGISTER OF DISCLOSABLE PECUNIARY INTERESTS (Pages 33 - 38)

To consider a report by the Head of Legal and Democratic Services and Monitoring Officer regarding the up-to-date position on the adoption of a Code of Conduct by Town and Parish Councils and the receipt and publication of registration of interests forms on behalf of District and Town and Parish Councillors.

7. UPDATE ON CODE OF CONDUCT COMPLAINTS

Since the last meeting of the Committee in December, the Monitoring Officer has received 12 complaints regarding alleged breaches of respective District or Parish Council Codes of Conduct. One of these complaints has been closed and a copy of the Decision Notice has been published and can be viewed via ModGov on the District Council's website. Complaints have originated from both the public and Councillors and involve Members serving on the District Council, St Neots and St Ives Towns and Hilton and Yaxley Parish Councils. Four complaints relate to the conduct of existing Councillors (and candidates) around the County Council elections in May.

The Monitoring Officer has responded to these complaints in accordance with the agreed protocol but will report to Members on the approach he has taken, thus far, in consultation with the Independent Persons in handling these cases.

8. TRAINING UPDATE

Local Training

Since the last meeting in December, the Monitoring Officer has presented training on the Code of Conduct to Wistow Parish and neighbouring Councils at Wistow Village Hall on 26th February 2013. In addition to Councillors from Wistow, representatives from Bury, Broughton, Farcet and Warboys also were present together with the Deputy Independent Person and the Committee's Parish Council representatives – 18 in all.

Following a bye election in Brampton Ward, the newly elected District Councillor has received Code of Conduct training as part of his induction session. Training also has been offered to St Neots Town

and Alconbury and Great Paxton Parish Councils but no firm arrangements have been put in place. The Clerk to Great Paxton Parish Council has subsequently declined, on behalf of her Council, the offer of training from the Monitoring Officer.

Joint Training

Arrangements are currently being made for a training session on the Code of Conduct, pre determination and bias in conjunction with South Cambridgeshire District Council at South Cambridgeshire Hall, Cambourne potentially on 3rd October 2013. The training will be led by Peter Keith Lucas from Bevan Brittan Solicitors. Costs will be shared between the two authorities and there is not likely to be any restriction on the number of Members that the District Council can nominate to attend. Training will include an interactive session, an overview of the Code of Conduct and guidance on when and how to declare interests. It is anticipated that Members will be asked to consider several short scenarios and invited to comment on the nature of the interests which need to be considered/declared and whether it is necessary in any case to apply for a dispensation.

The Committee will be invited to attend by email once the date of the session has been confirmed.

9. REVIEW OF THE ROLE, RESPONSIBILITIES AND TERMS OF REFERENCE OF THE COMMITTEE

The District Council's Corporate Governance Panel has responsibility, amongst other matters, for 'the oversight of the Council's constitutional arrangements and for advising the Council on any changes that may be desirable'. The Panel has recently reviewed the Constitution. During the review, it was proposed that the terms of reference and title of the Panel be varied such that it either becomes a Panel with responsibility for standards or, that the terms of reference of the existing Standards Committee be extended to comprise, for example, matters relating to governance, the constitution and complaints about Councils services. Having ascertained that there appears to be no preferred model across Cambridgeshire authorities for dealing with standards, governance and constitutional issues, the Council, at its April meeting resolved –

that, in consultation with the Deputy Executive Leader and the Chairmen of the Standards Committee, the Corporate Governance Panel be requested to review its role, responsibilities and terms of reference and that of the Standards Committee with a view to a report on the outcome being submitted to the Panel meeting on 26th March (2014) for potential implementation with effect from the Annual Meeting in May 2014.

To assist the Chairman in the early stages of the review, Members are invited to suggest areas which might potentially become the Committee's responsibilities.

10. ARTICLE OF INTEREST - LOCAL GOVERNMENT LAWYER (Pages 39 - 40)

Extract enclosed.

Dated this 19 day of June 2013



Head of Paid Service

Notes

A. Disclosable Pecuniary Interests

- (1) *Members are required to declare any disclosable pecuniary interests and unless you have obtained dispensation, cannot discuss or vote on the matter at the meeting and must also leave the room whilst the matter is being debated or voted on.*
- (2) *A Member has a disclosable pecuniary interest if it*
 - (a) *relates to you, or*
 - (b) *is an interest of -*
 - (i) *your spouse or civil partner; or*
 - (ii) *a person with whom you are living as husband and wife; or*
 - (iii) *a person with whom you are living as if you were civil partners*

and you are aware that the other person has the interest.
- (3) *Disclosable pecuniary interests includes -*
 - (a) *any employment or profession carried out for profit or gain;*
 - (b) *any financial benefit received by the Member in respect of expenses incurred carrying out his or her duties as a Member (except from the Council);*
 - (c) *any current contracts with the Council;*
 - (d) *any beneficial interest in land/property within the Council's area;*
 - (e) *any licence for a month or longer to occupy land in the Council's area;*
 - (f) *any tenancy where the Council is landlord and the Member (or person in (2)(b) above) has a beneficial interest; or*
 - (g) *a beneficial interest (above the specified level) in the shares of any body which has a place of business or land in the Council's area.*

B. Other Interests

- (4) *If a Member has a non-disclosable pecuniary interest or a non-pecuniary interest then you are required to declare that interest, but may remain to discuss and vote.*
- (5) *A Member has a non-disclosable pecuniary interest or a non-pecuniary interest where -*
 - (a) *a decision in relation to the business being considered might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the council tax payers, rate payers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area, or*

(b) it relates to or is likely to affect any of the descriptions referred to above, but in respect of a member of your family (other than specified in (2)(b) above) or a person with whom you have a close association

and that interest is not a disclosable pecuniary interest.

Please contact Ms C Deller, Democratic Services Manager, Tel No 01480 388007/e-mail: Christine.Deller@huntingdonshire.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/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](http://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.