

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the STANDARDS COMMITTEE held at Meeting Room 1, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Wednesday, 10 September 2003

PRESENT: Councillor P J Brant - Chairman

Councillors Mrs B E Boddington, J A P Eddy, J D Fell, A Hansard, C W Looker and J Taylor.

Messrs D L Hall, D H Bristow and D MacPherson.

APOLOGIES: Apologies for absence from the meeting were presented on behalf of Messrs D Patisson and G Watkins

10. MINUTES

The Minutes of the meeting of the Committee held on 25th June 2003 were approved as a correct record and signed by the Chairman.

11. CODES AND PROTOCOLS

By way of a report by the Head of Administration (a copy of which is appended in the Minute Book) the Committee were acquainted with background to the preparation of a series of codes and protocols in accordance with identified best practice in local government and specifically considered the content of a Planning Code of Good Practice and Protocols for Community Leadership by Members and on Member/Employee Relations.

In the light of the views expressed by the Development Control and Employment Panels in terms of the terminology used in parts of the draft Members' Planning Code of Good Practice and in relation to the question of employees' attendance at meetings of party political groups which was referred to in the Protocol on Member/Employee Relations, the Committee proposed variations to the text of each code to address the concerns raised by both Panels.

With regard to the application of the Planning Code of Good Practice and having acknowledged the training received by Members on the planning process, the Committee requested that the guidance offered should incorporate advice on how to respond to lobbying on individual applications by the public and information for applicants on the role of Members serving on the Development Control Panel in terms of the expectations of the Code of Good Practice. Whereupon, it was

RESOLVED

that, subject to the inclusion of the amendments proposed, the Council be recommended to adopt the Planning Code of Good Practice, the Protocol of Member/Employee Relations and the Protocol for Community Leadership by Members for incorporation in the District Council's Constitution.

12. LOCAL AUTHORITIES (CODE OF CONDUCT) (LOCAL DETERMINATIONS) REGULATIONS 2003

Pursuant to Minute No. 5, the Committee considered a report by the Executive Director of Central Services and Monitoring Officer (a copy of which is appended in the Minute Book) to which was attached a copy of a new guidance booklet entitled "Standards Committee determinations" offering advice on the Local Determination Regulations and practical information for Monitoring Officers and Standards Committees on the determination of cases referred to them by the Standards Board for England.

In noting the guidance issued by the Board, the Committee requested the Monitoring Officer to prepare, for submission to the next meeting, a detailed procedure to assist with preparations for and the conduct of hearings in anticipation of the reference of cases to the Committee for local determination. Having been advised that the conduct of investigations locally might have resource implications for the District Council and mindful of the advice of the Standards Board for England in terms of the conduct of a hearing, it was

RESOLVED

- (a) that the guidance for Monitoring Officers and Standards Committees issued by the Standards Board for England on Local Determination Regulations and the proposal to fund any additional expenditure from the contingency reserve be noted; and
- (b) that in the event of cases being referred for determination locally, one of the Independent Members be elected as Chairman of the hearing required to consider the case.

13. APPLICATION FOR DISPENSATIONS

(Councillor A Hansard declared a personal interest in the following item as a Member of St. Neots Town Council but remained in the meeting and participated in the discussion and voting thereon).

A report by the Executive Director of Central Services and Monitoring Officer was submitted (a copy of which is appended in the Minute Book) regarding an application received from St. Neots Town Council for dispensation to enable Town Councillors to speak and vote on matters relating to St. Neots Outdoor Swimming Pool and Ackerman Street Playing Field, (both registered as charitable trusts) to which they were appointed ex-officio as Trustees. The application also referred to the membership of two Town Councillors of the Management Committee of the Jubilee Hall, Eaton Socon, another

charitable trust. The Committee also had been requested to consider varying a previous decision which had granted dispensation to St. Ives Town Councillors to speak and vote on matters relating to the Norris Library and Museum Charity for the period ending 30th April 2004 as a consequence of the Government's decision to hold the local government elections in 2004 on 10th June.

Arising from their consideration of the application from St. Neots Town Council, the Committee questioned whether it was prudent for all Members of a local Council to act as trustees to a community facility on the basis that it might be in the better interests of the parish if other individuals unrelated to the local council were invited to act as trustees. While recognising this was a constitutional issue for local Councils to address, the Committee requested that representations be made to the Charity Commission, the relevant Government Office and the Local Government Association in this respect.

Members were reminded of the provisions of the Relevant Authorities (Standards Committee) (Dispensations) Regulations 2002 and having been advised that business relating to the Management Committee for the Jubilee Hall, Eaton Socon would not be impeded because over 50% of the Members of St. Neots Town Council still would be entitled to participate in the meeting, the Committee

RESOLVED

- (a) that dispensation be not granted to St. Neots Town Councillors in respect of matters relating to the Jubilee Hall Management Committee;
- (b) that dispensation to speak and vote on matters relating to St. Neots Outdoor Swimming Pool and the Ackerman Street Playing Field, Eaton Socon be granted to St. Neots Town Councillors for the period ending 30th April 2007; and
- (c) that the period over which the dispensations granted to St. Ives Town Councillors to enable them to speak and vote on matters relating to the Norris Library and Museum be extended from 30th April to 4th June 2004.

14. PARISH COUNCIL'S CODE OF CONDUCT

(Mr D MacPherson declared a personal interest in the following item in view of his knowledge of the Parish Councillor concerned via their service on the Cambridgeshire Association of Local Councils but remained in the meeting for the duration of discussion thereon).

By reference to a report by the Executive Director of Central Services and Monitoring Officer (a copy of which is appended in the Minute Book) the Committee noted that the Standards Board for England had agreed not to take any further action in relation to a breach of the Parish Council's Code of Conduct by a Councillor serving on Catworth Parish Council.

15. THE CODE IN PRACTICE

The Committee viewed a video produced by the Standards Board for England which offered advice on the interpretation of the Model Code of Conduct. Members noted that the video would be used as a training aid when further advice sessions for town and parish councils were arranged.

Chairman