
Standards Committee

Report of the meeting held on 4th March 2010

Matters for Information

19. REPORT OF THE REFERRALS (ASSESSMENT) SUB-COMMITTEE

The Chairman of the Referrals (Assessment) Sub-Committee regularly updates Members on the outcome, in general terms, of cases considered by the Sub-Committee. On this occasion, the Sub-Committee had met on three occasions and of the cases considered, no further action was recommended in two of them and in the remaining case, the matter was referred to the Monitoring Officer for other action which involved the submission of an apology to his local Council by the councillor concerned.

The Committee has been reminded that an earlier complaint had exposed an issue with regard to the level of awareness of the Local Authority Code of Publicity. The Monitoring Officer has now confirmed that, in accordance with the instructions of the Sub-Committee, all town and parish councils in Huntingdonshire have been reminded of the requirements of the Code. This advice will be repeated in advance of the elections every year irrespective of whether elections are scheduled in a parish or otherwise. The Monitoring Officer also has incorporated a section on the Code in his training presentation to town and parish councils.

20. UPDATE ON CODE REVISION

The Committee has been informed that the Department of Communities and Local Government has announced that a new Code of Conduct for Members will not be laid during this Parliamentary session due to insufficient time. In practice this means that a new Code will not now be made until after the General Election.

21. LOG OF CODE OF CONDUCT ENQUIRIES

The Committee has noted the nature of the Code of Conduct enquiries recently recorded by the Monitoring Officer and has been reminded that the areas of the Code which appear to cause the most concern form the basis for the Monitoring Officer's approach to training for parish councils.

The Monitoring Officer also has confirmed that he will be preparing a series of "frequently asked questions" which will be made available

on the 'Standards and Conduct' pages of the District Council's website.

22. PREDISPOSITION, BIAS, PRE-DETERMINATION AND THE CODE

For training purposes, the Committee has noted the content of an article which examined the relationship between bias, predisposition, pre-determination and the Code of Conduct drawing upon recent and relevant case law in the area. A copy of the advice has been circulated to all Members.

23. REQUESTS FOR DISPENSATION - ST. IVES TOWN COUNCIL

Following advice offered in response to an enquiry regarding potential interests held by the Members serving on St. Ives Town Council, it has become apparent that Members of that Council required dispensation to enable them to continue to consider matters likely to affect a community interest company set up to manage the Corn Exchange in St. Ives.

Having considered the Town Council's request, the Committee has been satisfied that approval of the application in the circumstances described is required to prevent the business of that authority from being impeded. The Committee has, therefore, granted a dispensation to fifteen 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 will need to be submitted.

24. STANDARDS FOR ENGLAND ANNUAL RETURN 2010

The Committee has noted that it is the intention of "Standards for England" (SFE) 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 has requested that this task also be undertaken annually by the Monitoring Officer and that the inaugural report be prepared for the July meeting. The Committee also understands that the report will assist in responding to the requirements of the Audit Commission in the completion of the Use of Resources assessment.

In welcoming the initiative, the Committee has 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 should be promoted via the District Council's website and District Wide, the Council's in house magazine.

25. CODE OF CONDUCT ADVICE AND RECENT TRIBUNAL DETERMINATIONS

For learning purposes, the Committee has 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.

Mr D L Hall
Chairman