

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the STANDARDS COMMITTEE held in Room CVSO1A, Civic Suite, Pathfinder House, St. Mary's Street, Huntingdon, Cambs, PE29 3TN on Thursday, 6 December 2012.

PRESENT: Councillor A Hansard - Chairman
Councillors K M Baker, Mrs B E Boddington, P J Downes, Mrs L A Duffy, G J Harlock, and T D Sanderson.

ALSO IN ATTENDANCE: Mr M Lynch.

12. MINUTES

The Minutes of the meeting of the Committee held on 6th September 2012 were approved as a correct record and signed by the Chairman.

13. MEMBERS' INTERESTS

No interests were declared by the Members present.

14. APPOINTMENT OF INDEPENDENT PERSONS AND TOWN AND PARISH COUNCIL REPRESENTATIVES

By way of a report by the Head of Legal and Democratic Services and Monitoring Officer (a copy of which is appended in the Minute Book) the Committee was updated on the outcome of the selection processes for the appointment of Lead and Deputy Independent Persons and the Town and Parish Council representatives.

Since their appointment by the Council, the Committee noted that the Lead and Deputy Independent Persons had begun to lend their support to the Monitoring Officer in responding to the new requirements of the Localism Act 2011 and its impact on the standards process. Both had observed training sessions on the Code of Conduct held for Town and Parish Councils, attended a workshop for Independent Persons and indicated their willingness to attend alternate meetings of the Committee to keep apprised of standards issues. It was reported that the Lead Independent Person also had reviewed the first complaint received under the new arrangements. The Committee accepted that with experience, working practices would continue to evolve and might ultimately require adjustments to be made to the protocol for the consideration of complaints.

Following the decision to appoint two Town and Parish Council representatives (Minute No. 6 refers), the Chairman reported that he had, together with the Monitoring Officer, considered expressions of interest received from seven high quality candidates. Having made their selection, the positions would be offered to the two successful

candidates who would be appointed to serve until April 2014 and be entitled to receive an allowance of £231.00 per annum plus reimbursement of the costs involved for attending meetings of the Committee and training events. It was noted that both appointees would be invited to attend the next meeting. Whereupon, it was RESOLVED

that the progress achieved with the support of an Independent Person in the new complaints arrangements and the steps taken thus far to appoint two Town and Parish Council representatives to the Committee be noted.

15. UPDATE ON CODE OF CONDUCT AND REGISTER OF INTERESTS

The Committee considered a report by the Head of Legal and Democratic Services and Monitoring Officer (a copy of which is appended in the Minute Book) 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 interest forms on behalf of District and Town and Parish Councillors.

Members were reminded that the Monitoring Officer retained a duty to maintain and publish a Register of Interests of Members and co-opted Members of the District and all Parish Councils in Huntingdonshire. Although there was no legal obligation upon the town and parish councils to notify the Monitoring Officer, the Committee noted that 51 of 71 town and parish councils had adopted a Code based on that published by the District Council with eleven opting for the Code promoted by the National Association of Local Councils.

Whilst the Monitoring Officer had exercised some leniency in the early stages of the exercise, the Committee was of the view that it was now appropriate to write, in stronger terms, to those Councils where DPs were still outstanding to point out their legal obligation to comply. The Committee also was of the view that the Monitoring Officer should call upon the assistance of District Councillors in these circumstances to encourage Parish Councils in their ward to return their DPs and adopt a Code of Conduct where this appeared still to be outstanding. Whereupon, it was

RESOLVED

that the Head of Legal and Democratic Services and Monitoring Officer be requested to write, in strong terms, to Town and Parish Councils with Members who had yet to disclose their pecuniary interests and remind them of their legal obligations in this regard.

16. TRAINING UPDATE

The Committee received and noted a report by the Head of Legal and Democratic Services and Monitoring Officer (a copy of which is appended in the Minute Book) on the response received to the eight training sessions held for District and Town and Parish Councillors over the period September – November 2012.

It was reported that although overall attendance had been disappointing, feedback received during and since the sessions had been very positive and a number of challenging issues had been raised in discussion. Given the level of interest shown subsequently by individual Parish Councils, Members noted that there appeared to be an opportunity to extend the training elsewhere in the District in the future and in this respect, the Committee noted that one session had been held recently specifically for Hilton Parish and that arrangements were being made to hold a similar session for Wistow Parish and surrounding Parishes early in the New Year.

17. UPDATE ON COMPLAINTS RECEIVED SINCE 1ST JULY 2012

The Monitoring Officer reported that he had reviewed, after consultation with the Council's appointed Independent Person, the first complaint received in accordance with the protocol adopted by the Council to deal with Code of Conduct complaints under the Localism Act. Having been apprised of the allegation in brief, the Committee noted the conclusion that there had been insufficient evidence to substantiate the complaints and to warrant the undertaking of a formal investigation.

In response to a question from a Member, the Monitoring Officer undertook to ensure that Decision Notices in respect of the outcome of Code of Conduct complaint would be published on the District Council's website.

18. COMMITTEE ON STANDARDS IN PUBLIC LIFE

The Committee received and noted an extract from the Annual Report of the Committee on Standards in Public Life published in September 2012 (a copy of the extract is appended in the Minute Book) which related to the changes that had occurred to the local government standards regime resulting from the Localism Act 2011.

Whilst commending the decision to operate standards at local level and to maintain a mandatory requirement for each Authority to retain the Code of Conduct based on the Nolan Principles, the National Committee had expressed strong concern at the absence of adequate sanctions to apply to those Councillors who fell short of the standards expected of an elected Member.

In the absence of a range of sanctions to apply should a breach of the Code be determined, Members understood that, in such circumstances, a Hearings Panel would decide the level of publicity to give to the outcome of a case and the degree to which this should be placed within the public domain. The Monitoring Officer undertook to consider whether it would be appropriate to vary the Monitoring Officer's protocol to prompt this consideration.

19. DATE OF NEXT MEETING

It was noted that the next meeting of the Committee would be held on Thursday 7th March 2013 at 4pm.

Chairman