

## HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the STANDARDS COMMITTEE held in Room 1A, Civic Suite, Pathfinder House, St. Mary's Street, Huntingdon PE29 3TN on Thursday, 6 March 2014.

PRESENT: Councillor A Hansard – Chairman.  
Councillors K M Baker, Mrs B E Boddington and G J Harlock.

APOLOGIES Apologies for absence from the meeting were submitted on behalf of Councillors W T Clough and T D Sanderson.

IN ATTENDANCE Mr P McCloskey and Mrs D Townsend.

*(The Independent Persons, Mr P Baker and Mrs G Holmes attended the meeting as observers.)*

### 21. MINUTES

The Minutes of the meeting of the Committee held on 5th December 2013 were approved as a correct record and signed by the Chairman.

### 22. MEMBERS' INTERESTS

As parish council representatives, Councillors P McCloskey and Mrs D Townsend declared a non-pecuniary interest in Minute No 25.

### 23. PROPOSED AMENDMENTS TO THE CODE OF CONDUCT

Further to Minute No 15, the Committee was reminded via a report by the Head of Legal & Democratic Services and Monitoring Officer (a copy of which is appended in the Minute Book) that the Department of Communities and Local Government (DCLG) had published guidance entitled 'Openness & transparency on personal interests' which had suggested that the interests to be registered and declared by Councillors should include membership of a trade union. This advice had not been specified in the Regulations issued by the Government following the Localism Act 2011.

Given the publication of the Guidance, the Committee was of the opinion that the Council should take the opportunity to review the Code more generally, in the light of experience since adoption of the original Code in July 2012 and potentially extend the Code to include the new interests referred to. Accordingly, the Monitoring Officer presented a series of proposed changes that he wished to make to the Code and the Committee discussed the action that would be required to be taken as a result of the introduction of these changes. Having distinguished between DPI's and other interests and confirmed that the new Code would take effect from 4th June 2014, the date of the commencement of the new Municipal Year, the Committee

## RESOLVED

that the Council be recommended to approve proposed changes to the Code of Conduct as set out in Annex 1 to the report now submitted and the consequential new Code be adopted by the Council with effect from the 4th June 2014 i.e. the date of the Annual Council meeting.

### **24. REVIEW OF THE TERMS OF REFERENCE OF THE COMMITTEE**

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 reminded that the Corporate Governance Panel had been requested to consider both its own constitution and that of the Committee. There was a view that the terms of reference and title of the Corporate Governance Panel might be varied perhaps to an Audit and Accounts Committee so that its functions relate specifically to Risk Management, Audit, Accounts and Resources, for example, with governance, constitutional and possibly complaints responsibilities transferred to the Committee or to a potentially re-named Standards and Governance Panel.

This suggestion had arisen because of the contrast in the workload of each. Members were reminded that the Corporate Governance Panel had become increasingly busy in recent years as greater emphasis had been placed on governance issues. The demise of "Standards for England" and the impact of the Localism Act 2011 had resulted in a less procedurally prescriptive standards regime and a subsequent reduction in the level of business considered by the Committee.

It was reported that the Chairmen had met to consider several options for change together with the current arrangements made by other Cambridgeshire Authorities dealing with Corporate Governance and Standards issues and the outcome of their discussion and their preferred approach was presented to the Committee.

During discussion, Members indicated that they would wish the Committee and the Corporate Governance Panel to continue to operate as separate principal bodies and that were the Panel/Committee to be re-named to reflect any new functions but it should retain the words "Standards" within its title in order to promote and maintain the profile of the Code of Conduct and the continuing importance of high standards of conduct by Councillors and other related protocols within the Constitution. The Committee also expressed support for a limited transfer of functions from the Corporate Governance Panel and the Elections Working Group.

Having regard to the current terms of reference of the Panel and the Committee, Members were of the view that the following functions could be transferred and be undertaken, in future, by the Committee rather than the Corporate Governance Panel –

- ◆ Considering proposals to change the Council's Constitutional arrangements and making appropriate recommendations to the Council (a function formerly undertaken by Standards);

- ◆ Determining the Council's customer feedback procedure, monitoring compliance with the procedure, compensatory payments to complainants and formulation of recommendations to the Cabinet or Council on any action to be taken as a consequence; and
- ◆ Considering reports by the Local Government Ombudsman, approval of compensatory payments to complainants and formulation of recommendations to the Cabinet or Council on any remedial action to be taken as a consequence.

Although ultimately, certain issues still would be reserved to Council as part of the policy and statutory framework, Members supported the suggestion that matters relating to electoral arrangements also could fall to be dealt with by the Committee rather than the Elections Working Group as at present. Whereupon, it was

RESOLVED

that the foregoing reviews of the Committee be conveyed to the Corporate Governance Panel in conjunction with the current review of the Constitution.

## **25. MEMBERSHIP OF THE COMMITTEE**

A report by the Head of Legal and Democratic Services and Monitoring Officer was submitted (a copy of which is appended in the Minute Book) in which the Committee was reminded of the arrangements made to appoint, and the term of office of both, the Parish Council representatives and the Lead and Deputy Independent persons.

Members noted that the terms of office of the Parish Council representatives were due to expire on 30th April 2014 having been appointed by the Monitoring Officer after consultation with the Chairman in December 2012. The appointments of the Lead and Deputy Independent Persons would require to be reaffirmed by the Council at its annual meeting.

In view of the valuable contributions made by the Parish Council representatives to the Committee and training events and the excellent working relationship established by the Monitoring Officer with the Lead and Deputy Independent Persons in the period since their appointments, the Committee considered a proposal for the terms of office of both to be extended to 30th April 2016 (equivalent to a four-year and three-year term respectively) without the requirement in the case of the Independent Persons for any further ratification by the Council. It was clarified that, in the case of the current Parish Council representatives, that they would continue to serve for a further two years to 30th April 2016 or until such time as their Parish Council office expired, if earlier. As the appointment of the Lead and Deputy Independent Persons were required to be confirmed by the Council, the Committee

RESOLVED

(a) that, the term of office of the Parish Council

representatives be extended for a further two year period to 30th April 2016 or until such time as their Parish Council office expired, if earlier; and

- (b) that the Council be recommended to reaffirm the appointment of Mrs Gillian Holmes and Mr Peter Baker to the posts of Lead and Deputy Independent Persons respectively for the remainder of a three-year term to 30th April 2016 without the requirement for further annual ratification.

## **26. UPDATE ON CODE OF CONDUCT AND REGISTER OF DISCLOSABLE PECUNIARY INTERESTS**

By reference to his report, (a copy of which is appended in the Minute Book) the Monitoring Officer updated the Committee on the adoption of the Code of Conduct by Town and Parish Councils and the receipt and publication of register of interests forms on behalf of District and Town and Parish Councillors.

Members were reminded that the Monitoring Officer had a duty to establish and maintain a register of disclosable pecuniary interests and that matters relating to breaches of the Code of Conduct remain under the auspices of the Committee.

The Committee was pleased to note that all 71 Town and Parish Councils had now adopted a Code of Conduct, with 56 based on that adopted by the District Council and 10 opting for the Code promoted by NALC. Of the remaining Councils, 4 had adopted their own version of the Code but the Monitoring Officer was satisfied that these were adequate for the purpose. Of 71 town and parish councils, 58 had had their full register and 11 part registers published (which comprised the disclosable pecuniary interests (DPI) forms of all Councillors). The Committee was informed that where part registers had been published, this could reflect where changes were in progress. In terms of individual DPis, 594 of a total of 650 had been received from Parish Councillors, 35 were outstanding and 27 were vacancies. The forms of all District Councillors had been published.

Having expressed its appreciation to the Monitoring Officer and the Democratic Services Manager on their success in having achieved such a comprehensive return, the Committee

**RESOLVED**

that the report and information now submitted be received and noted.

## **27. TRAINING UPDATE**

The Monitoring Officer reported that since the last meeting in December, a training session had been held at Perry Parish Council. Eight Members of the Council and the Clerk had been in attendance together with members of Great Staughton Parish and the Clerk to Great Paxton Parish. The Committee was pleased to note that the session had appeared to have been well-received and had generated

questions and interest.

**28. EXTRACT FROM "LOCAL GOVERNMENT LAWYER" - JANUARY 2014**

The Committee discussed and noted two articles describing the outcome of two Code of Conduct complaints which had occurred in mid-Devon and Kent.

**29. DATE OF NEXT MEETING**

Members noted that the next meeting of the Committee was scheduled to take place on Thursday 26th June 2014 in the Civic Suite, Pathfinder House, Huntingdon.

Chairman